

# **MEETING OF THE PARLIAMENT**

Thursday 20 September 2001

Session 1

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## Scottish Parliament

*Thursday 20 September 2001*

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

### Juvenile Justice

**The Deputy Presiding Officer (Mr George Reid):** The first item of business is a debate on Conservative motion S1M-2205, in the name of Bill Aitken, on juvenile justice, and two amendments to that motion. I call Bill Aitken to speak to and move the motion.

09:30

**Bill Aitken (Glasgow) (Con):** It is now well over 30 years since Scotland's system of juvenile justice was set up. On that basis alone, a review is long overdue. When the Social Work (Scotland) Act 1968 established the children's hearings system, that approach was hailed as progressive and effective in dealing with young offenders. However, since those days, there have been many changes in society, of which not all have been for the better. Therefore, it is essential for our entire approach to juvenile justice to be reviewed, in the light of both experience and changing attitudes in society.

As the system has evolved over the years, the work of children's hearings has changed radically. Children's panels face many of the unfortunate and frequently tragic problems in contemporary society, the most obvious of which is the scourge of drugs. The children's hearing system deals not only with offending and criminality among young persons, but with children who are at risk, usually from either abuse or neglect—sometimes from both. Against that background, it is unsurprising that the system has become geared almost totally to doing what is best for the child, following the basic principle that the child's interests are paramount. No other view can be taken when the deliberations of a hearing concern a child who is at risk. Many depressing tales emanate from children's panels, reflecting the way in which our society has deteriorated since the idealistic days of 1968. A child at risk is a problem that we must all share.

Frequent offending and child-at-risk syndrome are often manifest in the same cases. A young offender often comes from a background of abuse and neglect that has contributed significantly to his or her behaviour. Nevertheless, in some cases of offending behaviour and criminality the interests of our wider society become subordinate to the

principle that the hearing system exists purely to assist the subject child. Frankly, that is no longer acceptable.

Over the summer, I carried out a study of the operation of the hearing system. I spoke to panel members and attended hearings. I also spoke to police officers, social workers and people who work with and have experience of the system. I found that there is almost universal unease about the way in which the system operates and that there is an almost unanimous view that, if the system is to retain credibility, an urgent review of its operation is necessary.

The police are becoming increasingly frustrated and concerned by the failure of the system to cope with consistent and persistent offenders. It is not unknown for youngsters to be detained two or three times in 24 hours. They are arrested following a theft or attempted theft, taken to the police office and released when a parent comes to collect them. The same depressing thing then happens again and they are arrested a few hours later. One can well understand the concerns of the police. The public now feel that it is a waste of time to report to the police acts of disorder or minor crime involving youngsters. The word has got through to members of the public that nothing happens and that if they report youngsters to the police there will be only one effect: their home, car or they themselves will be targeted. That, too, is unacceptable.

Social workers and reporters are committed to the system, but they too see the system breaking down due to a lack of resources. They advance the argument that the system is so geared up to dealing with the problems of children who are at risk that offending behaviour cannot be dealt with timeously, if at all. Their plea is for more resources. Although that plea is a regular clarion call from anyone who is involved in public service, there seems to be genuine justification for their complaints.

Panel members not only share the frustrations of the social workers, but have disappointments of their own. I have been very impressed by those who serve on the panels. Our society is fortunate to have people who give so willingly of their time and effort to try to help, but we are in real danger of sickening them. Frequently, they know that the only answer is to place a child in secure accommodation, but such accommodation cannot be found. They can make a supervision order, but sometimes weeks can pass before a social worker is assigned to the case. Increasingly, panel members feel that their range of disposals is inadequate and that some action must be taken to impress on the child the seriousness of the situation and to increase the level of parental interest, which is sadly lacking in many cases.

The most damning indictment of all, perhaps, is the attitude of offenders to the panel system. They hold it in derision and contempt. Youngsters openly show no respect at hearings, telling the police officers who are in charge, "You can't do anything to me—it's only the panel." They have sussed out the fact that the present system is, in many respects, a joke. It must be recognised that a 16-year-old in 1968 was a completely different animal from a 16-year-old or a person of 15 years and 11 months today. We have some suggestions of ways in which matters may be improved and credibility may be restored to the system.

We recognise that there must be greater provision of secure accommodation. It is no light matter to consider locking up a young person, but, sadly, in a growing number of cases there is no alternative. The Executive must recognise that there is no balance in much of its law-and-order policy. The interests of the perpetrators of crimes are often regarded as the only priority, with victims and society in general receiving scant support. That must stop. Many youngsters adopt a serious pattern of offending and Lothian and Borders police have recently highlighted the fact that a handful of young people can create mayhem in a community.

The Executive must also ensure that when a panel makes a supervision order, social work departments respond timeously and effectively. The current situation, in which weeks can elapse prior to the allocation of a case social worker, is simply not acceptable. We must also consider more innovative and effective ways of dealing with youngsters who offend and efforts must be made to force parents to take responsibility for the behaviour of their children. The SNP's idea of imposing fines that are payable by the parents has a degree of superficial attraction, but in common with many other realistic approaches to criminality, it is precluded by the European convention on human rights. It would also result in parents going to prison because of unpaid fines and I suspect that the SNP would not be too relaxed about that.

We suggest that there should be evening and weekend detention. Children's hearings could order a youngster to attend detention at a school or other premises from 5 o'clock in the evening until 9 o'clock, or from 9 o'clock in the morning until 5 o'clock on Saturday or Sunday. Parents would be required to pick up their children from those places and take them straight home. Such a detention system would have resource implications, but bearing in mind the limited number of youngsters who would be attending, the supervision could be carried out by retired police officers on a sessional basis.

**Tavish Scott (Shetland) (LD):** Why were such suggestions not taken up when the Children

(Scotland) Act 1995 was introduced at Westminster by Bill Aitken's colleague, Lord James Douglas-Hamilton?

**Bill Aitken:** All things change in this world. The situation was not nearly so acute in 1995 as it is today. I am sure that Tavish Scott will agree that things move on.

At the detention sessions, youngsters would be allowed to bring books or school work, but nothing else—no televisions, videos, Game Boys or Pokemons. The youngsters would be required to sit in silence and get on with what they had to do. For many, that would be an uncomfortable experience that would leave its mark.

We also suggest that there would be merit in making a community-service-type disposal available to the children's panels, which would require youngsters to work on a similar basis to that of an adult community service order. We are especially attracted to the restitution of damaged property. The orders would be made not as a diversionary process, but on the basis of an order from the children's hearing.

One of the sanctions that can be most effective within a family is grounding, whereby the child is required to stay in the house. We propose an amendment to legislation, whereby parents would be required either to keep children in the house or to accompany them when they go outside during certain periods. It is possible that that might run into ECHR-compliance problems but it is certainly worth consideration in any review.

In all of these considerations, we must recognise that the actions of the Executive have left parents with considerable difficulties with regard to how they may discipline their children. Last week, for example, we had a debate on the efficacy and desirability of corporal punishment. Personally, I express no view on the matter. How parents discipline their children is a matter for them and I will not comment on that.

**Michael Russell (South of Scotland) (SNP):** The fact that the member takes no view on the matter indicates that he did not listen to the debate. There was no debate about the efficacy of corporal punishment; there was a debate about a set of proposals—we were also concerned about them in so far as they had not been published—which related to abusing children by striking them with implements and in other ways. I presume that he is not saying that he thinks treating children in such a way is wise. Not even his colleagues said that.

**Bill Aitken:** I have no wish to rehearse the arguments that were advanced last week. Personally, I do not agree that striking a child on the head is in any way an acceptable way to discipline the child. However, I do not regard it as

being for me, Mr Russell or any of us in the chamber to comment on how children are disciplined in the familial home. The parents have to live with the children; we do not.

**Karen Whitefield (Airdrie and Shotts) (Lab):** Is the member suggesting that it is perfectly acceptable for people to beat and abuse children?

**Bill Aitken:** The member should not put words in my mouth. I was particularly careful to make the point that I expressed no view on the matter. In my reply to Mr Russell, I said that striking children about the head with implements was, to my mind, unacceptable. However, in general terms, how parents discipline their children is a matter for them, not for me or Karen Whitefield. If the sanction of smacking is removed, it will be hard for parents, in extreme situations, to control the wilder elements. In that respect, the Executive would be wise to distance itself from the proposal.

The children's panel system is a sensitive and appropriate approach to dealing with children at risk, but its credibility in dealing with offenders is open to question. The Executive must examine ways in which the system can be toughened up to recognise the much more serious problems that exist involving youth offenders. If the Executive does not do so, the system will fall into disrepute and what was an innovative and exciting experiment will be seen to have failed.

I move,

That the Parliament recognises that the Children's Hearings system as at present constituted is manifestly failing to deal with criminal and offending behaviour and calls upon the Executive to carry out a full review of Scotland's system of juvenile justice, such a review to include consideration of giving Children's Hearings an increased range of disposals.

09:42

**The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen):** We are all agreed that crime and the fear of crime blight the lives of many individuals and communities. We accept the scale of the problem. According to Audit Scotland's recent report on youth justice, one in 12 young people in Scotland between the ages of eight and 21 have either offended or are being dealt with for allegations of offending. In some areas, those young people account for more than 40 per cent of crimes such as housebreaking, vandalism and car theft.

However, the vast majority of those children offend only once. The real problem lies with the tiny minority of children who are repeat offenders. According to one study, 3 per cent of the young offenders—around 2,300 children in Scotland—are responsible for a quarter of all offences committed by that group. Tackling that minority is

essential. Because tackling persistent offenders will produce the biggest impact, the Scottish Executive's programme for government target is to reduce re-referral rates to hearings on offence grounds by 10 per cent by 2004. Of course, we are committed to examining more innovative ways of dealing with the problem, provided that they are more effective—the crucial thing is that they have to work.

**Michael Russell:** I agree that any innovative measures have to work. Presumably, the minister also thinks that they have to be, at least in their origin, child centred, as that is the basis of the system.

**Nicol Stephen:** Of course. I will shortly talk about the work that we have already done to improve the effectiveness of the system.

The key reason for setting up an advisory group on youth crime was to examine ways to reduce offending—and particularly reoffending—by young people. The group involved the police, Victim Support Scotland, local authorities and other bodies—in fact, all the bodies that Bill Aitken said he had spoken to over the summer. Its report was unanimous in its support for the children's hearing system and its unique role in Scotland's justice system.

There was also remarkable consensus on how our children's hearings could be developed to tackle the problem of persistent young offenders. A hearing already has the freedom to attach any condition to a supervision requirement. Those conditions include contact with a social worker; participation in specific programmes to address offending behaviour and anger management; a requirement to stay away from certain places or people; and the removal of the child from home and their placement in foster care, a residential home or secure accommodation.

**Miss Annabel Goldie (West of Scotland) (Con):** Those measures are encouraging and worth while. However, there is a deeper, more sinister issue involved: many children, from an early age, are displaying no understanding of right and wrong. That may be an axiom that has previously been stated, but is it not the case that we need to examine our education system to ensure that children receive some instruction in our schools on the basic rights and wrongs of life and on the need to have a regard for civic responsibility, however simply those concepts can be explained to them?

**Nicol Stephen:** In my speech, I am focusing on the children's panel system, but the member is right that aspects of education, deprivation, poverty, parental unemployment, chronic illness, alcohol abuse and drug misuse are factors in the problem. The Scottish Executive wants to tackle

those factors and recognises that education is one of the key aspects. There is no one simple answer to the problem that we are dealing with.

The advisory group decided that children's hearings needed more, and more effective, community-based programmes to be available, to which young offenders can be referred to try to divert them from crime. If Mr Aitken has other suggestions to make, we will be happy to consider them, but I am not sure whether he was suggesting other disposals or conditions for supervision. We should clarify that point.

**Bill Aitken:** I am suggesting disposals that would be available rather than conditions of a supervision order.

**Nicol Stephen:** That is helpful. Many studies and research projects in Scotland, other parts of the UK and internationally highlight the fact that programmes that are developed to allow offenders to confront their behaviour and that involve their families, communities and—as Annabel Goldie suggested—schools are, in many cases, more likely to prevent reoffending than the placement of the offender in secure accommodation. That is true even among the most persistent reoffenders.

Two Scottish examples that have been or are being funded by the Executive demonstrate that point. The Freagarrach community-based project, which covers Falkirk, Clackmannanshire and Stirling, reduced the overall offending rate of its young people by up to 50 per cent by targeting the top 20 offenders in a particular area. A three-year invest-to-save project, the matrix project, which is run by Barnardos, covers the same geographical area. It targets children who are exposed to factors that might lead them to offend in the future. A package of support is offered to the children, who are aged between eight and 11, and work is carried out with their families. The project is a joint partnership between the police and education and health services. Joined-up working is a key part of such projects. As well as reducing re-offending, such programmes are more cost-effective than secure accommodation.

We have learned from examples such as the ones that I have mentioned and from projects in other parts of the United Kingdom. Local authorities have now been allocated more than £20 million over three years from April this year to enhance their programmes and develop more. The aim is to make young offenders stop reoffending and face up to the consequences of their actions and their impact on the community and individual victims.

The new initiatives must be challenging and must force young offenders to recognise what they have done. They must operate over a period of months, if not longer. They must be effective in the

long term—they are the opposite of short, sharp shocks. The future consists of more intensive community support, initiatives to provide alternatives to secure accommodation, and specialist behavioural problem projects. The £20 million allocation to local authorities will support that.

We need to be tough on the children who cause misery to their neighbours and communities. The programmes that I have outlined are the way to do that. I emphasise that they are not easy options. Scotland's unique system of children's hearings serves us well. The network of local authority departments, the reporters, the police, health service staff and—primarily—the volunteers on whom the system depends deserve our praise, thanks and support. I thank Bill Aitken for his support and praise for the volunteers. Our hearing system provides an excellent framework within which the needs of the child can be assessed and acted on. A great deal more can be done to get the system right—greater partnership is needed. Let us build and reinforce that system.

I move amendment S1M-2205.2, to leave out from “recognises” to end and insert:

“confirms its support for the principles of the hearings system in dealing with children who are at risk whether through offending or anti-social behaviour or are in need of care and protection; considers that the children's hearings system provides the best framework within which to identify the needs of vulnerable children and young people and to determine the most appropriate response; praises the commitment and skill of the volunteers who are appointed as members of Children's Panels and Children's Panel Advisory Committees; welcomes the consensus achieved by the Advisory Group on Youth Crime and confirms its support for the Group's recommendations for reducing and stopping youth crime; further welcomes the increased expenditure by the Executive on children's services and Youth Crime Review to support targeted services in local authorities; supports the Executive in its drive to reduce re-offending rates among children and young people, as set out in Working Together for Scotland, as this will benefit communities, victims and young people, and encourages local authorities, service providers and other partners to develop programmes and services which seek to address the offending behaviour and underlying contributory factors in the lives of young people who offend.”

09:52

**Irene McGugan (North-East Scotland) (SNP):**

I say to the Conservative party that society, not the children's hearing system, is, in the words of that party's motion,

“manifestly failing to deal with criminal and offending behaviour”.

Youth offenders are young people with problems. We are failing to deal effectively with the causes of their difficulties.

I also remind the Conservatives that the Kilbrandon welfare principle, which underpinned



the establishment of the children's hearing system, remains relevant today and that the system continues to provide a good framework for addressing the behaviour and underlying difficulties of young people with problems.

Perhaps the challenge is to bring justice and welfare together in new ways. The issue is not the system; it is the need for constructive engagement with young people, their families and communities. We need to shift thinking and resources.

We accept that the hearing system has to have at its disposal adequate and effective resources for young people who offend, but many referrals could be avoided if there were a greater emphasis on what are called preventive measures, but are in reality ordinary activities such as sport, leisure and drama.

We need a range of general recreation and sport provision for children and teenagers. Much of that has been eroded over the past 10 or 20 years. Children in deprived areas have less access to constructive leisure activities. School and community halls are shut. Sport and other activities are expensive. Football pitches are non-existent in most inner-city areas.

It is no exaggeration to say that the lack of facilities and transport infrastructure to access facilities is an overwhelming concern of many young people. That is confirmed time and again when the cross-party group on children and young people goes out to meet young people. If young people had opportunities for challenge and adventure, there would be less youth crime.

We also need diversion strategies. We must work with children and young people who are in danger of entering the crime world. We must identify them early and ensure that proper voluntary measures are available to them and their parents. We must also ensure that children's services plans—as well as education, health and other provisions—meet their needs.

For serious offenders, we need effective intervention. That means robust, evaluated and tested programmes under statutory supervision.

Little of what I have suggested differs much from the recommendations of the youth crime review. It produced good proposals, which achieved a wide consensus. The Scottish National Party supports those proposals broadly and they have already been accepted by the Executive.

The Scottish Executive's response to the review agreed to the calls for a national strategy, which was due to be in place by April 2001. We are still waiting for the draft consultation on that strategy. I ask the minister to confirm whether the strategy will proceed without delay.

We know what works. There are excellent

examples of projects that work effectively with young people who are in trouble. NCH, which is the largest non-statutory provider of services, runs a number of projects that have proven to be highly successful in diverting high-risk young people away from crime.

Barnardos, which the minister mentioned, is also keen to reduce offending behaviour and provide intensive, community-based programmes that offer a positive alternative to secure accommodation, referral to the criminal justice system and—ultimately—custodial sentences. The most well-known Barnardos project for persistent juvenile offenders is probably the Freagarrach project. In the first 12 months of the Barnardos new directions project in Aberdeen, there have been clear indications that that cost-effective service is also having a positive impact and reducing offending. The project is a partnership initiative with Aberdeenshire Council and Aberdeen City Council. It is important to recognise that a multi-agency approach is required if a project is to be effective in addressing the offending and needs of young people.

Such schemes are not a soft option. They are a successful means of confronting what is going wrong and providing a challenging and effective alternative. We know what works. We should use what is known from research to contribute to improvements in practice and policy in Scotland by having a proper national strategy to resource and quality-assure the services evenly throughout Scotland. That provides the best prospect of helping young people to move towards a more positive future and to contribute to a safer community.

I move amendment S1M-2205.1, to leave out from "as" to end and insert:

"has served society and Scotland's children and families very well and that it will continue to do so in the future, provided that adequate and effective resources are applied to the system to help young people who offend, and calls upon the Scottish Executive to bring forward without further delay the national strategy and framework arising from the youth crime review in order to set out national programmes for effectively working with young people to prevent crime, ensure that measures are in place to support those at risk of offending and recommend proven intervention strategies for offenders."

09:57

**Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab):** I will take a few minutes to rebut some of the nonsense in Bill Aitken's opening speech. I am sure that he will not be surprised to hear me say that.

I take exception to the notion that, because someone is 15 years and 11 months old, and a child in the eyes of the law, they should be

described as “a completely different animal”. I do not think that that language is helpful or appropriate.

When we talk about working with young, vulnerable people, it is simply not the case that we can immediately differentiate between those who have been abused or suffered neglect in their homes and those who offend. Unfortunately, life is just not like that. It is later discovered of many young people who present because of offending behaviour that they have been subject to abuse.

**Bill Aitken:** Does Cathy Jamieson not acknowledge that I made that point in my speech? I said that it is sometimes difficult to differentiate between the offending child and the child who has been a victim of abuse and that the matters are sometimes related. In fact, I stressed that.

**Cathy Jamieson:** I am afraid that Bill Aitken did not take that argument to its logical conclusion in the disposals that he wanted to be made available to the children’s hearing system. I will come on to that.

Many young people involved in low-level offending behaviour may, as the minister said, be involved on only one occasion or a couple of occasions and can be diverted from further involvement in the criminal process. I have no difficulty in saying that we should remove from the community those persistent offenders who clearly require to be removed for their safety or that of the community. However, it is simply not the case that, by increasing the number of secure unit places—at huge cost—and by locking young people up, we will tackle the problem. Nor will we address the problem by enacting Bill Aitken’s suggestion for a disposal that is some kind of weekend or after-hours detention in which children are made to sit with books and nothing else.

I am sure that educationists would suggest that making books a punishment is not the way to engage young people and is not the way to get them to face up to the damage that they do in their communities. We can be a bit more imaginative. For a number of years many schemes have been operating that bring together children, young people and adult volunteers from the local community in order to tackle projects that give something back to the local community. They make young people face up to their offending behaviour rather than making them sit in silence.

Nor do I think that we should be considering alternatives that put further pressure on parents. Sometimes parents are struggling to make ends meet. Sometimes parents themselves have not had a particularly good experience of life and might need support. Projects that take a holistic approach to the child in the family and community setting will have more value than simply removing

children and setting them aside without tackling their problems.

When the children’s hearing system was set up, it was a radical departure from the way that youth justice had been dealt with previously. Scotland ought to be proud of the children’s hearing system. Yes, the system might need changes and revision. However, the fundamental principles of putting the best interests and the welfare of the child first, have stood and will stand the test of time.

We need more imaginative ways of working with young people than spurious proposals for grounding them under the supervision of retired police officers. I am sure that some of those police officers would be useful to the process, but some of them may not want to be involved. Let us look at some of the projects that are currently under way and are giving young people opportunities to be involved in outdoor activities, sport and leisure activities and to make a contribution to their communities. They must be given the opportunity to be part of the solution rather than being described consistently as a problem.

I hope that we will consider the good work that has been done as part of the youth crime review. We will begin to examine how we can provide better opportunities within the children’s hearing system for 16 to 18-year-olds. As Jack McConnell has already agreed, we will look at the inappropriate facilities in some of our secure units and consider upgrading them. We will, however, keep at the forefront of our minds the fact that the majority of young people in Scotland are not criminals and are not a problem. A small minority of young people cause the problems that the Tories have highlighted today. We ought to keep the matter in perspective. The children’s hearing system has stood the test of time and it will continue to do so.

10:02

**Phil Gallie (South of Scotland) (Con):** It saddens me that Cathy Jamieson started her comments by making an attack on Bill Aitken. She was wrong to do so. Bill Aitken’s motion is positive and looks at the issues that Cathy Jamieson commented on at the end of her speech. It addresses the issues that surround a small minority of youngsters who create mayhem in society. On that basis, Cathy Jamieson was wrong to have a go at Bill Aitken right from the start. Perhaps that is customary for her, but she should listen a little more to what is said.

**Cathy Jamieson:** Will the member give way?

**Phil Gallie:** I will come back to Cathy Jamieson in a moment.

I listened intently to what Irene McGugan had to

say. She fails to acknowledge the things that have been done for young people in our society in modern times. I believe that sports facilities for youngsters are better now than ever before. Access to drama activities is also better. Cathy Jamieson rightly referred to the other facilities that are open to youngsters and how we should encourage them to get involved in various projects that take them outdoors. It is not all depression.

We should consider the money that has been directed towards young people in priority treatment areas. Many young people, without looking for excuses, have the opportunity to pick themselves up and make something of their lives, no matter how bad their circumstances have been.

I will give way to Cathy Jamieson before I go on to talk about children's panels.

**Cathy Jamieson:** I was not making a personal attack on Bill Aitken. I was making an attack on Tory party policy.

**Phil Gallie:** The Children (Scotland) Act 1995 was a Tory party policy that every party signed up to and of which we in the Conservative party feel proud.

Children's panels are not a subject of criticism in Bill Aitken's motion. He commends the people that work on those panels. They have cared for people and are intent on the best interests of children—that is their remit. However, the members of children's panels are also frustrated. At times, when they have persistent young offenders before them, they know that there is nothing that they can do with those offenders that will protect society.

The panels can say that the offenders should go into secure accommodation, but that makes no difference if the secure accommodation is not there. Our motion addresses that issue—Bill Aitken picked it up and decided that we should examine it urgently. The amendments to the motion are good, but they are waffly. They do not recognise the urgent need for action against the small number of persistent offenders.

An example of the situation in Ayr a few years ago demonstrates the difficulties—15 youngsters committed 700 criminal offences in less than a year. The police are fed up to the back teeth with pulling in youngsters and having to release them, knowing full well that 24 hours later they will have to go out, find them and bring them in once more.

I commend Bill Aitken's motion. I suggest that all members can identify with his intentions and could sign on to them. I recommend that members sign on to the motion at decision time.

10:07

**Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab):** Sometimes we wish that Phil Gallie was still signing on.

Like many on the left—perhaps too readily—I succumb to the soft bigotry of low expectations of the right. I hope that that is the only bigoted view that I hold. Unfortunately that view, which is reinforced daily, is today backed up by the ready recourse of the Conservative party to more secure unit places. "Lock them up" is what their motion is about.

The problem is that we have evidence—perhaps, for once, too much evidence—that that approach just does not work. The failure of sending more youngsters into the adult court system and of making the juvenile system more formalised and adversarial is played out across the Atlantic, where adult and youth crime and incarceration are increasing.

**Miss Goldie:** Would the member be kind enough to give the chamber one instance of such a failure?

**Brian Fitzpatrick:** I suggest that the fact that the United States, on a per capita basis, has the largest adult prison population might be one glaringly obvious example of that failure.

I welcome what the minister had to say about targeted action on persistent offenders and I recognise the substantial work that has been done in that connection. I want to pay tribute to the initial work on youth crime by the First Minister's policy unit and to the substantial work of the advisory group. I hope that the minister will comment on that.

We will tackle persistent offending by interventions. No one in the chamber is suggesting that there is not a real problem with persistent offenders. The issue is how best to address that. I suggest that interventions must be measured against their efficacy in addressing the issues affecting individual children in trouble and their efficiency in ensuring the safety of the community in which a child resides. That integrated approach to addressing the difficulties of children in trouble is the essential characteristic of our system. We should not be smug about Scotland's children's panel system, but neither should we be shamefaced.

There is some merit in Annabel Goldie's remarks on right and wrong. I grew up in Priesthill, one of Glasgow's toughest working-class areas, although at that time the Conservative party was in the business of taking work out of the working class. I am conscious of the direct and indirect effects that led me to the more legitimate end of the law and to this place and that kept me out of

trouble—not least a faith-based home and parents who were in work.

**Miss Goldie** *rose*—

**Brian Fitzpatrick:** No—I am being nice about my parents at the moment. They were in work, together and cared for their children.

I hope that the Tories will raise their game and reduce their rhetoric, not least by acknowledging the blindingly obvious. The social characteristics of the core cohort of young, persistent offenders are the most telling problem demanding our attention, and we can only tackle that through determined, challenging interventions for such children. We must take account of the fact that the overwhelming majority of those youngsters are boys. We do not need much more evidence about the best ways of reducing offending among boys. They include providing the prospect of a decent job and of a supportive environment and, some say, the prospect of a demanding girlfriend.

That is why most Labour voters in Scotland are convinced, not just that we are tough on crime—the public are not stupid and know that the causes of crime are of particular importance. People in my constituency are prepared to give children a second chance. They want them to take that chance. I support the Executive's amendment.

10:11

**Michael Russell (South of Scotland) (SNP):** I find it surprising to say, but I agree with almost everything that I have just heard from Brian Fitzpatrick—except perhaps, at 10.10 in the morning, concerning demanding girlfriends.

Bill Aitken opened by saying that society has deteriorated since the children's hearing system was put in place. Many of us would agree. If we were students of government, we would quickly work out that, of those 30 years, the Tories were in power for 21. Much of the responsibility for a deteriorating society and for the difficulties that young people face, which Irene McGugan, Cathy Jamieson and Brian Fitzpatrick spoke about, lies at the Tory benches. It might have been wise had Bill Aitken remembered that on his way to the chamber, before giving us such bizarre spectacle.

I was struck that Brian Fitzpatrick accused the Tories of just wanting to lock young people up. He may not have noticed it, but I did: there were nods on the Tory benches. That is what the Tories want to do. It is a policy born of fear. Cathy Jamieson was right to say that any member who talks about young children as animals, or about a policy that is, from what I heard, very similar to reintroducing the workhouse, is devising policy out of fear. Mr McLetchie used the word "protect" or "protecting" more than once.

**David McLetchie (Lothians) (Con):** But I have not spoken yet.

**Michael Russell:** I am sorry. It was Mr Gallie.

**Gordon Jackson (Glasgow Govan) (Lab):** That is an easy mistake to make.

**Michael Russell:** It is, and considering how far to the right Mr McLetchie is drifting, he will in fact soon be Mr Gallie.

Mr Gallie used the word "protect" more than once. What we have heard in Tory members' speeches and what we see in their motion is a policy of fear. It is the exact opposite of how we should be helping young people.

**Bill Aitken:** Would Mr Russell accept that the phrase that I used was "a completely different animal"? I could, for example, describe him as a quite different animal from Mr Stevenson, who is sitting beside him, meaning no offence to either of them.

**Michael Russell:** I think that Mr Aitken's choice of word was significant. I took it to be significant, as did Cathy Jamieson. I think that those who listened to him found it significant.

Last week, the Education, Culture and Sport Committee visited New Lanark. I am sorry that its Tory member did not join us, because there was a lot to be learned there about what we are discussing today. When Robert Owen established New Lanark, there was a view that young people—and indeed many other people—were merely animals that had to be disciplined and kept in order and that workhouses were a good way to achieve that. What Robert Owen did at New Lanark was to look at things in the opposite way, saying that, if we help and support people, show kindness and encourage the best in people, we get a better society.

It is a great pity that those messages have not yet spread fully in this country and this society. It is, however, an interesting object lesson—despite dating back 200 years—of how a policy that does not focus on the needs of supporting individuals is bound to fail, not just socially but economically. Such a policy is wrong for all reasons: socially, politically and economically—yet the Tories have learned nothing. We do not need more of what Bill Aitken is talking about, but an emphasis on individuals.

When I listened to Irene McGugan, I was listening to someone who has been at the sharp end of working with difficult children, unlike Bill Aitken, who was on the bench judging them. That was the difference between their speeches. On the one hand was somebody who has worked with children and knows that we need more focus on individual children, on the choices in their lives, on the difficulties that they face and on poverty. We

also need more focus on the fact that we are responsible for the society that we create and must do something about it. We require a broad-brush approach to help young people and must use it to decide how we focus down.

What we heard from Bill Aitken today was the broad-birch approach, which is absolutely unacceptable, certainly to this party and hopefully to most of the chamber. The Tories, now in the era of Iain Duncan Smith, are lurching wildly to the right—we have seen more signs of that today; fortunately, the people of Scotland are not.

10:16

**Tavish Scott (Shetland) (LD):** I share Mike Russell's sentiments, particularly those of his latter comments. I am pleased to follow his contribution—and that of the distinguished former member of the First Minister's policy unit. I do not believe for a moment that

“the Children's Hearings system as at present constituted is manifestly failing”,

to use the words of the Conservative motion. I think it curious that the Conservatives' approach today consists, as others have pointed out, of illustrating the fact that the problems of society have got immeasurably worse since 1995. That was, of course, when Lord James Douglas-Hamilton piloted the Children (Scotland) Bill through Westminster. The resulting act made, as I understand it, no great changes to, and in fact endorsed the Kilbrandon report's principles as far as the children's panel system was concerned—it made only a number of procedural changes. The Conservatives' approach today is at best curious—as Mike Russell said, it simply serves to point out that they were in power for 21 of the past 30 years—yet all has supposedly gone so wrong since 1995. That is typical of Conservative thinking.

The Conservatives' motion is superficial, and tries to appear tough on crime, as they often seek to appear in the chamber. There were nods on the Conservative benches adjacent to me when the idea of “locking 'em all up” was raised. It is deeply dispiriting to juvenile justice and to the related issues affecting our society that that is the approach emanating from a so-called serious party in the modern political world. That policy and emotion come through blue-tinted glasses, and that is inherently unsuitable for the Scotland that I believe in and that I want to develop.

There are one or two points on which I agree with Bill Aitken. He said that the panel system was “progressive and effective”, if I have quoted him correctly, and that the basic principle is that the child's interests are paramount. With the Conservatives, however, that would obviously not

include the area of physical chastisement.

The panel system has not been set in stone, as the Conservatives have tried to suggest. To suggest that the system and panel members have remained stagnant, and that only the children have changed, is a bizarre argument. Irene McGugan and Cathy Jamieson were right to raise the issues of the education of parents and of society as a whole. We need to take those issues seriously and develop them—instead of the superficial nonsense that I heard to my very far right.

I was interested in what the Lord Advocate said in response to questions on the children's panel system at yesterday's joint meeting of the Justice 1 Committee and the Justice 2 Committee, under Pauline McNeill's convenership. He clarified the point that the general policy is that children should be kept out of court as far as possible, and that only in exceptional circumstances should a child be prosecuted. That was what the Lord Advocate said. If I remember rightly, Bill Aitken and Lord James Douglas-Hamilton were last week defending in a spirited manner the Lord Advocate's independence from the legislature and the executive. They might recognise the importance of being consistent about their arguments.

I wish to make three brief points about the panel system itself. I share the views of the Deputy Minister for Education, Europe and External Affairs and of others regarding the importance of the work that volunteers do, particularly on staffing panels, as well the importance of the on-going national recruitment. However, will the minister comment on a point made to me by the children's panel in my constituency, concerning the difficulty of recruiting men in the 30 to 50 age group? Such men are invariably in work and, given the time commitment that the panel requires of them, may find it difficult to serve. A number of people who are involved with the children's panel in Shetland and to whom I spoke yesterday on the telephone said that that is a crucial issue.

Another point relates to the ECHR. I am sure that the minister will want to make clear exactly when guidance will be sent to panels, as such clarification is needed.

My final point is arguably the most important and was made to me yesterday by the chairman of the children's panel advisory committee in Shetland. It concerns the importance of early intervention—about which Irene McGugan spoke. We need to pool the resources available for early intervention measures.

I hope that in his response to the debate the minister will clarify some of the issues that I have raised.

10:21

**Robin Harper (Lothians) (Green):** Earlier this year I had the honour of chairing a debate at the University of Edinburgh. The audience was made up of 50 to 60 Lothian and regional children's panel members. On my right were members of the legal profession and on my left were members of the panel. The subject for debate was the problem posed for children's panels by the ECHR and the possibility of legal representation on children's panels becoming standard practice. I should have thought that the Conservative party would have wanted to debate that today.

I ask the minister to inform us at the end of today's debate whether the Executive is considering making legal representation on children's panels standard practice. Although the panel members won the debate on a vote—because the idea of creating an adversarial atmosphere on children's panels was not welcomed—the arguments presented by the legal profession were compelling. The issue of legal representation needs, therefore, to be addressed.

I turn now to the points made by Bill Aitken. My experience of a children's panel in 1985 was that we faced then exactly the same problems that the Conservatives are now flagging up as new. At that time there were shortages of secure accommodation. There were children of 15 and 16 who behaved quite atrociously at panels. People of that age are young men and women—they are no longer children. It is not surprising that those who have passed through the system have been failed all the way up. That is nothing new.

I was interested in what Nicol Stephen had to say and found it extremely encouraging. The Falkirk experiment, which produced a 50 per cent reduction in repeat offending, should be replicated as soon as possible throughout Scotland, provided that the results are sound. Will £20 million produce the same effect throughout Scotland within the next two or three years? That, rather than the measures suggested by Bill Aitken and the Conservative party, is the way forward.

I endorse the points that were made by Irene McGugan. The reduction in play spaces and free areas for children in Scotland is becoming a serious problem. Over the past 20 years in Edinburgh, there has been a 50 per cent reduction in access to free, open-air space for young people. I would like to pay tribute to projects such as the Canongate youth project and similar projects in Pilton, Wester Hailes and Craigmillar for the contribution that they make. Nicol Stephen is keen to encourage initiatives of that sort. However, all is not rosy. A new initiative called B-Friends, which allocates young people as friends to younger people with problems, and which has been extremely successful, has had to reduce the

number of workers it employs by three and the number of projects that it runs from five to four. The minister should recognise that there are projects throughout the country that struggle each year to find the money to enable them to continue the good work that they are doing.

Finally, I want to support what Cathy Jamieson said. We need activities for young people that will help them to bolster their self-confidence and give them skills that they can take away with them. That means considering schemes such as outward-bound projects.

**The Deputy Presiding Officer:** I apologise to Donald Gorrie, who sat through the debate without being called. I call Karen Whitefield to wind up on behalf of the Labour party.

10:25

**Karen Whitefield (Airdrie and Shotts) (Lab):** Today's motion says more about the current state of the Conservative party than it does about the real debate that is taking place on juvenile justice. In my view, today's motion is a rather obvious, if somewhat desperate attempt by the Tories to find some solid ground in Scotland.

What ground seems more solid than the real concern in our communities about juvenile crime? What more obvious way could there be to attack—or should I say exploit—the problem than by implying that fault lies with an overly liberal children's hearing system? However, the people of Scotland and the people whom Labour members represent will not stand for a party that plays politics with such a serious issue.

As Tavish Scott said, I am sure that many of my colleagues want to know why, if it had concerns about the juvenile justice system in Scotland, the Tory party failed to address them during the 18 years that it was in Government. If it had the answers, why did it not do anything? Why in the 18 years during which it destroyed our communities in Scotland did it preside over ever-increasing youth crime? We are talking about a party that believed that there was no such thing as society. It is ironic that it has now decided to challenge anti-social behaviour.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** No doubt referring to our esteemed former leader Margaret Thatcher, the member alleges that the Conservative party believed that there was no such thing as society. Does she accept that Margaret Thatcher in fact said that individuals are responsible for their actions and cannot pass the blame for them on to society?

**Karen Whitefield:** It is nice of Mr Monteith to take the time to join us at the end of the debate. Maybe if he had been here earlier he would

understand the real issues that we want to address. We do not want simply to lock children away.

In many communities there is real concern about the disproportionate disruption and violence that is caused by a very small number of young people. As many members said, there is a demand for effective action.

Some members on the Tory benches think that the solution is to lock children away, but the Audit Scotland report "Youth justice in Scotland" clearly states that

"prison is one of the most costly and least effective methods for reducing offending".

The same report points out:

"Significant reductions in prison population have been achieved in Finland, with no associated rise in offending."

In North Lanarkshire, where my constituency is situated, a project called the children's hearings over-16 initiative—CHOSI—challenges young people's offending behaviour. With appropriate education, training and employment opportunities, it has achieved a 78 per cent reduction in offending by those young people who participate in the project. That is a truly effective solution to youth crime.

No system is perfect and there will always be a need to develop innovative responses to youth crime. Unfortunately, it will always be necessary sometimes to take custodial action. Bill Aitken's real interest is not in alternative disposals, but in locking children away, while failing to address the underlying problems that may have led to those children's offending behaviour. This morning he quoted the report by Lothian and Borders police. He failed to point out that, according to the authors of the report, it is impossible to separate victims and offenders on children's panels, as 75 per cent of those referred to panels have been subjected to child abuse or domestic violence. Surely it is more appropriate to deal with those children in a non-adversarial justice system such as the children's hearing system?

The Labour party is concerned with changing our communities for the better and with responding to the concerns about youth crime that are expressed by the people whom we represent. Tackling youth crime effectively is not about locking children away nor is it about making political capital out of a real issue, but that appears to be the Conservative's priority this morning.

10:30

**Stewart Stevenson (Banff and Buchan) (SNP):** I have been fascinated by the speeches made by members on the SNP benches—I found much to agree with. Karen Whitefield also has my

full support for much of what she said in her speech.

However, I am extremely puzzled. I have come to the conclusion that the Tory party has become dangerously left-wing. The two Tory motions for debate this morning appear to call for increases in spending. Bill Aitken may correct me if I am wrong, but I am sure that I heard him say that he wants more resources for the children's panel system and, in the next motion for debate, the Tories are looking for more resources for health.

It is all right, though—I soon recovered and the Tory party reverted to type. Bill Aitken wants to send the right signals to his new master in London, Mr Duncan Smith. Bill Aitken is a moderate man and would never physically abuse one of his children, or any other child in his house, but he would, on behalf of the Tories, permit others to do precisely that.

**Phil Gallie:** Will the member give way?

**Stewart Stevenson:** Come on, then.

**Phil Gallie:** I am grateful to the member for giving way. He referred to the fact that implementation of the Tory party's motion could add costs. Those costs are linked to an increase in the number of places in which to remove and confine the small minority of offenders who create a lot of mayhem in society. Does Stewart Stevenson acknowledge that the cost of those young offenders' crimes is quite considerable and that, overall, there would be a saving to society if young offenders were confined?

**Stewart Stevenson:** I am obliged to Mr Gallie for confirming that the Tories want an increase in resources. It is already well known that incarceration is the least cost-effective solution to the problems caused to society by our youngsters. That view is shared across the chamber.

That is all a bit of a sideshow. We come to the meat of the 50 or so words of Bill Aitken's motion and the bit at the end, where he talks about disposals. We heard from him and from other Tories about restitution and incarceration. Phil Gallie just confirmed that more secure accommodation is at the core of his demands. That is a move in a totally different direction from the child-centred system that was put in place originally.

It is curious to note that the Tory motion also includes a plea for yet another review. Audit Scotland is conducting such a review and will publish its findings in late 2002. In the Executive's response to the youth crime review, it mentioned that six reviews were on-going. That is why Irene McGugan, who drew up the SNP amendment, focused on taking action now. Reviews are fine, but when I was in business, I once helped to set

up a bank in 12 weeks. We should take action much more quickly.

I was slightly surprised that no one referred to the Protection from Abuse (Scotland) Bill, which is being considered by the Justice 2 Committee. I am sure that we will come back to the bill, because it may well affect how young people are dealt with, as it will affect them in the same way as it will affect adults. We will need to watch the effects of the bill carefully.

We have all been felons at one time. Those who disagree with that assertion should indicate so now.

**Brian Fitzpatrick** *indicated disagreement.*

**Stewart Stevenson:** Well done, Brian. The First Minister was well advised.

We have been the lucky ones. We had loving, caring parents and a domestic infrastructure of support. We must focus on the unlucky ones, for whom the system must provide the support that they lack.

10:35

**Nicol Stephen:** I will start by examining the big picture and then I will focus in, as that is vital.

We must not forget the factors that affect offending. All the statistics show that the children and young people who are at greater risk of offending are those who grow up in environments with high levels of deprivation, poverty and unemployment and whose family life is chaotic and difficult because of illness and high levels of alcohol and drug misuse. That is the negative side, but on the positive side, we know that access to good education, out-of-school activities, community centres, drop-in facilities, sport—which Irene McGugan mentioned—drama and other activities will help lower offending rates in society. Such activities are provided not only for that reason, but because they help society in general. Young people need to be motivated, encouraged and inspired.

The Executive is determined to tackle juvenile offending and is doing a lot of work on both the negative and the positive aspects. We must do much more to help and support families, communities and individuals at an earlier stage. Initiatives should target not only youths who have reached secondary school age; they must target younger children.

**Donald Gorrie (Central Scotland) (LD):** The minister's comments are helpful. Will he guarantee that the Executive will put real resources into helping the voluntary sector, councils and other organisations to provide the facilities that he mentioned, to try to win over disaffected young

people and to involve them more in society?

**Nicol Stephen:** I cannot announce new spending this morning, but I guarantee that the Executive is putting more money into those areas. We believe that the voluntary sector has an increasingly vital role to play in achieving success, both in the projects that I mentioned and those that I am about to speak about in relation to targeting.

As Mike Russell said, we must focus on the individual. That means that we must take a range of approaches, including a focused approach, to identify the persistent offenders.

The advisory group on youth crime confirmed that the powers of the children's panel system are sufficient and wide-ranging. It also advised that more community-based programmes must be developed to confront the problem of persistent reoffending.

It would be complacent of me to say that we are getting everything right. The statistics that I quoted in my earlier speech emphasise the scale of the problem that we face. That is why we have acted on several recommendations already, including the investment of £20 million from April 2001 in the three-year initiative. That will allow local authorities to roll out partnership initiatives and multi-agency programmes. We do not want only local authorities to deliver services; we want to involve the voluntary sector and other agencies.

**Phil Gallie:** Will the minister give way?

**Nicol Stephen:** I am sorry but I am rapidly running out of time. I have given way to everyone who has asked me to, but I must draw the line.

We are considering the feasibility of conducting pilot projects to divert 16 and 17-year-olds from the adult criminal justice system, where appropriate, along the lines of the proposal in the youth crime review.

We have much to learn about youth justice from the children's panel system, but the operation of the system must be improved. It must be timely at all stages if it is to be effective. Concerns exist about the delays that arise at various stages. Those concerns must be tackled and they are being addressed by the time intervals monitoring group, which is a multi-agency working group.

The Executive will receive the first report of that group later this year. The sum of £12 million is being made available to the Scottish Children's Reporter Administration to develop a new information technology system that will, among other things, help to identify trends and provide profiles of children who offend. Currently, such information is not as good as it should be. Officials are working closely with Audit Scotland on its study into value for money in youth justice. We



expect the results of that study to be available at the end of 2002.

We want to work with others across all the agencies to get this right. We must get better. We recognise the excellent work of volunteers in the children's panel system, but more young people and—as Tavish Scott highlighted—more men need to be involved. A recruitment campaign is considering how to tackle those issues.

We need to respond to the ECHR judgment and we will do that. I emphasise that the judgment confirmed the fundamentals of the children's panel system. We will not create a new adversarial adult justice-style system.

We are reviewing the need for secure accommodation places and the other specialist services that are at the extreme end of the range of disposals that are available to panels. We want those to be available across Scotland. Some of the secure accommodation facilities need significant improvement and the working group that is considering the issue has agreed that the need is for greater quality and availability of secure accommodation places rather than for extra places.

Ministers recognise that we must maintain momentum. More projects, more research and more investment are needed. Most important of all, we need more effective results.

10:42

**Lord James Douglas-Hamilton (Lothians) (Con):** I sum up today's debate on the children's hearings system by saying that there have been a large number of lively speeches that have been refreshing to listen to.

The Conservatives believe that the approach to juvenile justice should be to protect the best interests not only of the child but of the community as a whole. I take issue with Tavish Scott, who said that the Children (Scotland) Act 1995 was relatively insignificant. That act was significant because it not only laid down the rights of the child but clarified procedures. I remember being severely disciplined on the floor of the House of Commons by Miss Betty Boothroyd for having too many amendments at the report stage. When I pointed out that they were concessions to Labour members who had made constructive proposals, she recognised that my actions were well meant. I believe that the Children (Scotland) Act 1995 will stand the test of time and will be well regarded in years to come.

**Tavish Scott:** What I said about the Children (Scotland) Act 1995 was said in the context of the paper from the Scottish Parliament information centre. I quote:

“the first major reform of Scottish child care law since 1968, the *Children (Scotland) Act 1995* preserved the Children's Hearings System largely unchanged, although some procedural alterations were made by the Act.”

That was my point.

**Lord James Douglas-Hamilton:** I am grateful to the member for clarifying his remarks.

The minister made a strong, constructive speech, in which he recognised the case that we have proposed. Let me give an example. In mid-July, the *Evening News* reported that some 10 children between the ages of 9 and 15 were responsible for a mini crime wave. One nine-year-old was responsible for 40 offences. The children were found guilty mainly of theft, driving offences, housebreaking or of picking on vulnerable groups such as the elderly.

The increase in youth crime has resulted in the number held in secure accommodation rising from 83 in 1998 to 87 in 2000. In due course, I would be interested to know from the minister whether the 200 young persons whom children's panels recommended for secure accommodation were in fact given that disposal. There is a reasonable apprehension that there may be an insufficiency of secure accommodation. I recognise that the disposal is a very serious one, but if a young person is creating mayhem in the community, recognition should be given to the interests of the community as well as to those of the young child concerned. The minister recognised that point, as did Phil Gallie and Brian Fitzpatrick.

I will give a reason why that correctly touches a raw nerve. A recent study in central Scotland showed that about 20 per cent of youth crime is committed by less than 2 per cent of offenders. The cost of youth crime in Scotland is some £730 million per year, which is about the same as the budget for the Scottish police. The minister said that there is room for significant improvement. I welcome his constructive approach.

The second point that I want to make in the brief time available is that there may, in certain circumstances, be a case for extending community service orders and—perhaps more appropriately—supervised attendance orders. Members are right to stress that each case must be weighed on its merits and that a comprehensive approach should take all the circumstances into account.

**Michael Russell:** We all welcome the constructive nature of the member's speech, but what connection does it have with Bill Aitken's aggressive opening speech, in which he proposed such things as grounding people and forcing them to read books in darkened rooms? What is the connection in the Tory philosophy?

**Lord James Douglas-Hamilton:** Had the member listened more closely to what my

colleague Mr Bill Aitken said, he would understand that someone who, as a bailiff of many years, has had to deal with the issues and is familiar with the system, and who has studied it over the whole summer, is entitled to express his concern at the problems that a small minority are causing. The range of disposals should be considered constructively.

I believe that Scotland's system of criminal justice is rightly regarded as one of the best in the world. It has a great deal going for it. In fairness to the children's panel system, it should be recognised that it has succeeded extremely well in situations in which children are at risk. MSPs such as Irene McGugan, Kay Ullrich and Cathy Jamieson have played a part in that process. However, there is a problem with persistent reoffending by a small minority. That is why we call for a review. Even the best system in the world needs improvement. As Karen Whitefield said, no system is perfect. I reinforce her words. Even the best system in the world needs to be kept updated in the light of changing circumstances.

## Patient Care

**The Deputy Presiding Officer (Patricia Ferguson):** The next item of business is a debate on Conservative motion S1M-2207, in the name of David McLetchie, on improving patient care, and on two amendments to the motion.

10:48

**David McLetchie (Lothians) (Con):** Let me begin with a paradox. Opinion surveys show increasing dissatisfaction with the performance of the health care system in the United Kingdom, compared with comparable European countries such as France and Germany. At the same time, surveys also show a high level of satisfaction when patients are asked about their own personal experience of the national health service. How do we reconcile those apparently conflicting public perceptions?

My own view is that the level of personal satisfaction is a great tribute to the dedicated staff who work in the health service. I refer not only to the nurses and doctors, but to the forgotten foot-soldiers: the porters, ambulance drivers, receptionists, cleaners and laboratory staff without whom our hospitals, our clinics and our surgeries would cease to function. That is why I am particularly sorry that the Minister for Health and Community Care recently chose to attack those who work in the NHS for what she called scaremongering. Frankly, that was a bit rich, coming as it did from a party that, for its own cynical advantage, elevated scaremongering about the health service to a fine art.

Most people recognise that NHS staff assessments of the current state of the service are the concerns of dedicated people who are struggling to cope with the increasing pressures that have been placed upon them. They cannot forever paper over the increasingly apparent cracks. That is why we owe it to those who work in the health service, and to the patients whom they serve, to ensure that we have a modern health care system of which we can all be proud.

In creating and building such a system, we have to take account of the changes that have taken place in society since 1948 when the NHS came into operation. Society today is more affluent and more demanding, and people have a longer life expectancy and are more vulnerable to chronic diseases than our forebears of 50 years ago. Technological advances in medicine—such as those in the fields of surgery, pharmaceuticals, biotechnology and genomics—have transformed the scope of health care since the inception of the NHS. Those advances have, in fact, undermined one of the assumptions upon which the original

NHS was based. In 1948, it was seriously believed that, once the backlog of ill health had been treated, demand on, and the costs of, the health service would be stabilised. Today, however, we know that the demands on the health service are huge, because health is the key to financial and physical independence, whether people are of working age or in retirement. Moreover, the pressures on the NHS have increased, because the extended family, which cared for elderly and frail members at home back in the early days of the NHS, is no longer the norm for a whole variety of social and financial reasons—although I would not wish to diminish in any way the important role that family carers still play in the care of many people in our society. However, we have to acknowledge that trend.

Despite those difficulties, the principles underpinning the NHS still command widespread public support. The NHS aims to provide a comprehensive service while ensuring equality of access. However, it is failing to meet those objectives. The NHS is far from comprehensive. For much of the life of the NHS, most people believed that comprehensive meant that everything that medically could be done, should be done. In reality, of course, and despite the rhetoric, the impossibility of providing every service that medically could be made available was well recognised by those who worked in the service. However, that truth was concealed by allowing doctors a wide discretion to ration—and thus to present decisions to treat or not to treat patients as if those decisions were purely clinical judgments when, in fact, they were not. Doctors went along with that strategy for a long time, but in recent years there have been increasing complaints that budgets are too restricted. The new reluctance to pretend that rationing is carried out on purely clinical grounds has contributed as much as anything else to the atmosphere of dissatisfaction within the health service.

The NHS promises equality of access, but I feel that that confuses two ideas. For most people—including me and my party colleagues—it means that everyone, rich and poor alike, should have guaranteed access to high-quality health care. It is vital that everyone is guaranteed access to health care and the fact that a system such as that in the United States fails to do so for 44 million people—16 per cent of the country's population—is morally unacceptable. That would not be tolerated in this country, and rightly so.

However, just accepting and applying the principle of guaranteed access does not produce equality of provision for all. It is patently obvious that standards differ in different parts of the country. The question that we have to ask is this: do we then establish a policy that seeks to eradicate those differences by levelling down, or a

policy that, through the promotion of choice and competition, encourages standards to rise for everyone?

The reality is that the NHS provides a standard that is considered acceptable by doctors within the budgets that are available to them and, because of that, in many areas it fails to match the standards of care that we see in other western European countries. Instead of trying to sweep the realities of rationing under the carpet, it is high time that we had an honest debate about the failings of our health service and a constructive debate about how we can create a system that meets the objectives that we wish it to meet.

For too long, the debate over the NHS has been sterile and dominated by party-political point scoring. I hold up my hand and admit that I have not been immune from that myself. *Mea culpa*. I will not pretend today that all the problems of the health service in Scotland began on 1 May 1997. Indeed, I acknowledge that more is being spent on the health service in Scotland today than was being spent in 1997. I also acknowledge that some of the problems that we are seeking to tackle have been endemic in the system for a number of years. However, it is about time that the Executive stopped trying to blame the failings of the NHS on the previous Conservative Government, as if all the problems of the health service could be solved by Labour alone. Such an attitude ignores the reality of our record in office and ignores the fact that, under Labour, far from things getting better, and far from the NHS supposedly being saved, in many areas things have actually got worse.

Two weeks ago at question time, Hugh Henry told the First Minister of a constituent who had to wait 89 weeks for a barium meal. Just the other day, a Fife Labour councillor—Mrs Joyce Smith—wrote to Henry McLeish and told him that health services in her area were better under the Tories, with higher standards and shorter waiting times. She told Mr McLeish—and I quote from that fine paper, *The Fife Free Press*—that:

“Under the Tories patients were seen in less than 15 weeks.

Patients are now receiving appointments for June 2002.

Is that acceptable? I don't think so.”

She is right. All I can ask Labour ministers is, although you may not listen to me or my colleagues, why will you not listen to your own people—people on the ground who can reflect the experiences of the people that the health service is meant to treat?

The previous Conservative Government, along with its predecessors, devoted an enormous amount of time and money to improving the health service. That is why we have a liver transplant service at Edinburgh royal infirmary; that is why

we have had a massive increase in the number of whole-body scanners; and that is why we became the first country in Europe to introduce a nationwide breast and cervical cancer screening programme and to establish three brain injury rehabilitation centres in Scotland. On top of all that, we were also able to initiate seven of the eight new hospital developments, many of which were built as a result of private finance initiatives, which Labour opposed at the time and now seeks to steal the credit for.

Instead of Labour refusing to admit that real improvements took place during that period, and instead of Labour pretending that it has a monopoly of virtue and wisdom with regard to the health service, it is about time that Labour was a bit more honest about the fundamental flaws affecting the service as a whole.

**Dr Richard Simpson (Ochil) (Lab):** Mr McLetchie's speech is very interesting and quite well balanced. However, in the interests of balance, will he talk about the vast increase in the number of administrators, and the reduction by 8,500 in the number of nurses, in the last 10 years of the Conservative Administration? The Conservatives' failure to increase the number of medical students landed us with an inadequate number of consultants, whom it takes a long time to create. If Mr McLetchie is really being honest, he must be balanced and talk about the problems that his party created for our party in 1997. Those problems were very severe.

**David McLetchie:** I try to be honest about those matters. Problems with nurse recruitment and nurse numbers have not diminished; in fact, I think that they have become rather worse in the past few years.

A lot of nonsense is talked about bureaucrats and administrators. Good managers and administrators are needed to run the budget of a health service that costs more than £5 billion. It does no service to diminish the contribution that those people make to the running of that service. We have to know what the service costs and how resources can be allocated most efficiently. To do that, we need high-quality administrative staff. I really feel that Labour hits the wrong mark when it attacks those people. For an organisation of its size, the NHS is not overburdened with bureaucrats.

There is a problem of underfunding. Despite the money that has been put into the health service by Governments of all political persuasions, when compared with countries of comparable wealth such as France and Germany, we consistently spend a lower percentage of our gross domestic product on health. Although we spend less public money on health from taxation than is spent in those countries, the disparity is greatest in relation

to private spending on health, which is far higher in those countries than in the United Kingdom. That means that we compare badly with western European countries in terms of the number of doctors, nurses and beds in our health service. There are twice as many doctors and hospital beds per 1,000 people in Germany as there are in the United Kingdom, and almost twice as many nurses. That lack of capacity has led to the most obvious failing of our system—long waiting lists and waiting times.

I will not rehearse all the numbers—we have been through them many times. However, even using the new measure—waiting times—that the Minister for Health and Community Care has introduced, nearly 60,000 people have had to wait more than three months for an operation and patients now have to wait, on average, an extra three days when compared with the situation in 1997. We have reached a deplorable situation, where, as the result of the recent European Court of Justice ruling, we now have to consider the export of our patients because our health service is unable to treat them within a reasonable time. That is damning evidence of our failure and should be a spur to action on all our parts.

The health service suffers from lack of competition, which many people wrongly assume has no place in health care. Competition and diversity of provision should be encouraged to raise standards. We should remember that the private commercial sector is not the only alternative to the state. Development of health care can come from the voluntary sector, as exemplified by the hospice movement. Hospices are perfect examples of modern care, combining innovative developments in palliative care with compassion for those facing terminal illnesses and support for their families. Does anyone seriously believe that our world-renowned hospices would be better off being run by a state monopoly? I think not.

In any case, as has been stated, we know that the Executive is happy to take the credit for all the Tory-initiated new hospital developments. All that we are asking is that the Executive extend its pragmatic attitude, so that the principle of partnership with the independent sector is extended to the delivery of health care to raise standards and improve access.

Tony Blair and Alan Milburn have signed a concordat with the independent sector to utilise spare capacity for the benefit of NHS patients in England. That concordat is described as not just a short-term fix to reduce waiting lists and waiting times, but something that is intended to turn partnership between the two sectors into a matter of routine. Such a concordat should be signed in Scotland to give our patients the same benefit.

Only this morning, we read that 40 heart patients from Liverpool who have waited six months for bypass surgery are to be operated on at Health Care International in Clydebank, but in Scotland patients would have to wait for 12 months before that would be done or even considered. Just how stupid and blinkered can we get? We have a wonderful facility on our doorstep, but we will not use it properly.

The potential to use the independent sector for the benefit of NHS patients is undoubted. Mr Chapel, the Scottish director of the Independent Healthcare Association has stated that the independent sector in Scotland has the capability to perform an extra 100,000 operations a year. Co-operation could significantly reduce waiting lists and waiting times for hundreds, if not thousands, of NHS patients.

Many of the reforms that have been introduced by the Labour party have been going in the wrong direction. Labour has diminished choice, increased centralisation and refused to use the spur that competition can bring to improve services. We need to reconsider some of the areas that I have mentioned today.

We know that we cannot start again from scratch and nor would we wish to do so. We must find ways in which the current system might be modified so that we build on where we are succeeding and what is best in the system and we improve standards where we are failing. That requires a debate that is open and influenced by developments in other countries and which is not inhibited by outdated political dogma. We need to guarantee everyone access to medical care, but that objective does not require a public sector monopoly or putting our whole system into an ideological straitjacket.

There is no single solution to the problems of the NHS. All systems of health care are imperfect. Neither social insurance, nor total tax funding, nor private health insurance alone can provide all the answers. One size no longer fits all, if indeed it ever did. The complexity of modern society demands a pluralistic approach that is flexible enough to change as circumstances alter. We need a less doctrinaire and more flexible approach involving different forms of funding and greater choice, as well as the adaptation of some of the more successful features of international experience and practice to British conditions and preferences.

I do not often agree with the First Minister, but in relation to health I certainly share his view that "what matters is what works". I hope that he and the Executive are willing to practise what he preaches and initiate the open-minded debate that is so badly needed to improve health services in Scotland.

I move,

That the Parliament welcomes the opening of the new hospitals built thanks to the PFI programme initiated by the last Conservative governments but notes with grave concern that the delivery of health care in Scotland has fallen far short of the standards people expect, with local hospital services under threat and patients waiting longer for treatment and facing the prospect of being forced to go abroad to get the treatment they need in a reasonable time; calls upon the Scottish Executive to extend the principle of partnership with the independent sector to the delivery of health care and begin discussions with the independent sector with a view to signing a "concordat" in similar terms to that already established in England, and further calls upon the Executive to initiate a debate in Scotland about how to improve standards of health care to the levels of the best European countries without raising taxes to unacceptable levels and whilst ensuring that access to high quality care is guaranteed for all.

11:05

**The Minister for Health and Community Care (Susan Deacon):** I welcome this morning's debate and I have listened with interest to David McLetchie's opening remarks. I welcome his acknowledgement of the complexity and scale of the task of modernising and developing the NHS. I also welcome his desire for a balanced and measured debate about the NHS, which is something that I have been calling for for some time. Indeed, I have come under attack from David McLetchie for saying just that, but I will give him the benefit of the doubt and will remain pleased to engage in such a debate.

I am sure that I am not alone in finding it difficult to take the Tories too seriously on this issue. The Tories feign sincerity, but I find it unconvincing. Their record in Government speaks louder than any amount of warm or weasel words from their leader. I will use my time to focus on the facts of what ministers in the coalition Scottish Executive are saying and doing, and on what is going on in our NHS.

Let us remind ourselves that the NHS is our nation's biggest and most important public service. It is our country's largest employer and accounts for one third of the budget of this Parliament. It serves our entire population and it is a service of which we can and should be proud. The service is facing enormous challenges, but it is responding to those challenges day in, day out.

We have made clear our determination to work for and with the NHS in Scotland to address the challenges through investment and reform and to do so in partnership with staff and with patients. We are under no illusions about the scale of that task, but that makes us all the more determined to take forward the programme of work that we have set out. We will build on success as well as tackling failure.

Last December, we published "Our National

Health: A plan for action, a plan for change". The plan set out a radical and ambitious, but achievable, programme for our NHS. It made clear our determination to rebuild our NHS as a truly national service: replacing competition with collaboration, combining investment with reform, setting national standards to be met locally and working to deliver services built around the needs of users, not the convenience of providers. Crucially, the plan was clear in its determination to improve health, not just to improve the treatment of ill health.

Since then, a massive programme of work has been under way to implement that plan. It has commanded widespread support throughout the country. I am delighted that a wide range of individuals and organisations are working with us and the NHS to ensure that the plan is translated into practical action and that it delivers real results for patients across Scotland.

In just over a week's time, new unified NHS boards will come into being across the country. The first of those boards is already in place in Tayside. That part of the NHS has a troubled history—blighted by fragmentation and poor leadership. However, we are starting to see a much-needed sea change in the way that the NHS in Tayside does business. There is meaningful teamwork, proper local dialogue and better performance. That is the way forward for the NHS in Scotland.

Across the country, the bureaucratic, overlaid machinery of the Tory internal market is being replaced with proper integration and improved accountability. Staff and local authorities are being given a meaningful voice around the NHS board table. That reflects our commitment to ensuring that partnership working, within the NHS and between the NHS and other organisations, is the norm in the future.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** The minister mentioned improved accountability. What does she say to those members of the public in Perthshire who feel that there has been no accountability to the health board in the review of the provision of paediatric care? Does the minister believe that accountability has improved for those people?

**Susan Deacon:** I believe that accountability has improved in that area as in others. There is still some way to go, which is why we continue to make changes and improvements in the accountability of the service. Compared with what was happening two or five years ago, the extent of the dialogue and consultation that is taking place on that issue, in that area, is fundamentally different. That must be the direction for the future.

Let me be clear: the creation of unified NHS

boards is a means to an end, not an end in itself. The test will be the results that those boards deliver. That is why, alongside the creation of unified boards, we are introducing new performance standards for the service, better financial systems, clear national priorities, and a renewed emphasis on the things that matter to patients, such as reducing waiting, improving communication, and working to ensure that people get the right care in the right place at the right time. That can be achieved only by the NHS working together as a whole.

At the heart of our approach is a clear focus on the clinical priorities of the NHS: cancer, heart disease and mental health. What is radical and different about our approach is the degree of ownership and control that is being given to staff and patients to take forward the work. National leadership is required, and we are giving it, but we recognise that change is achieved not by issuing diktats from the centre, but by harnessing the skills, expertise and enthusiasm of staff and patients.

**Shona Robison (North-East Scotland) (SNP):** There is little that I disagree with in the minister's speech so far, but will she clarify how far she is prepared to see private finance being used in the national health service?

**Susan Deacon:** I am glad that Shona Robison welcomes what I have said. Of course, the difference between our policies and the SNP's policies is that we have some, and we have translated our commitments and aspirations into practice. In a moment I will address private sector involvement, because it has featured prominently in the debate, but for now I will concentrate on investment, which rightly often features in debates on the NHS.

We recognise that delivering results requires investment. That is why the health budget in Scotland will rise from just less than £5 billion in 2000 to almost £7 billion by 2003—a substantial increase by any measure. Yesterday, Angus MacKay and I announced the release of a further £90 million to the NHS in Scotland to give our new boards a fresh start, to wipe the slates clean, to clear the accumulated deficits of the past, to enable the NHS to prepare for winter, and to continue to build for the future.

We are determined to ensure that that investment delivers results, that it reaches the areas of greatest need, and that it gets to front-line patient care. We have resisted the temptation to indulge in quick fixes, gimmicks or cosmetic changes, all of which have blighted the NHS in the past. We are investing in a way that is meaningful and sustainable.

The implementation of the Arbuthnott review is

resulting in resources being allocated more fairly across the NHS in Scotland. Much-needed investment in infrastructure is now taking place. We are seeing the biggest-ever hospital-building programme; replacement and refurbishment of health centres across the country; redevelopment of accident and emergency departments to provide better and more responsive patient care; and investment in information technology to support telemedicine, the transfer of patient records, better appointments systems, test results and discharge information. That much-needed equipment has been long neglected but, together, those developments are beginning to transform the patient experience. Common sense tells us that new buildings and major IT projects are not developed overnight, but no one should be in any doubt about the correctness of investing in those areas or of the results that are being, and will be, achieved.

Of course, we continue to invest in staff: 10,000 nurses will qualify in the coming five years, 1,500 more than was originally planned; 475 more junior doctor posts have been funded; additional consultant posts have been created; and there has been major investment in the development of family health services. Alongside that, we continue to work with the Scottish Partnership Forum, which brings together all NHS staff groups in Scotland, to develop a better, safer workplace through improved health and safety measures, more flexible working, better child care, and better education and training. All those measures will ensure that we have the work force that we need now and for the future. But we are not complacent. This week, I will be writing to all those with an interest in the future of nursing in Scotland to invite them to attend a nursing summit, so that together we can continue to take action to recruit and retain the nurses that we need in the NHS in Scotland.

I have said quite a bit about investment, but let me be clear that money alone will not deliver a modern, patient-centred NHS; new ways of working, better communications and a change to culture are also required. That is why I am delighted that we now have more than 300 one-stop clinics in Scotland. We are slashing waiting times and delays, giving people more personal specialised care, and transforming the patient experience. That is the solid foundation upon which we are determined to build.

Much has been said here today, and elsewhere, about the role of the private sector. Much of what is said is confused, some of it is misleading, and some of it is just plain wrong. The fact is that the private health care sector has co-existed with the NHS since its inception. The fact is that the NHS in Scotland, from time to time, uses the private health care sector for the treatment of NHS patients where the capacity exists and where it is

right for patients. There is nothing new in that, but the fact is that here in Scotland, capacity problems do not exist on the scale or in the concentration that they exist in some parts of the UK. The fact is, also, that the private health care sector in Scotland is significantly smaller than in other parts of the UK. The Tories' suggestion that concordats and the like between the NHS and private health care providers are the way forward for the NHS in Scotland simply ignores the reality.

**David McLetchie:** Will the minister give way?

**The Deputy Presiding Officer:** The minister is winding up.

**Susan Deacon:** There has always been, and there will continue to be, a role for partnerships between the NHS and various parts of the private sector, where that can add value to the work of the NHS.

Today, the SNP asks for less private involvement and the Tories ask for more. Our guiding principle is simple: what matters is what works for patients. We reject the tired old Tory dogma of private good, public bad. Our emphasis is on the quality of service, not just the cheapest price. What came through in David McLetchie's speech was the true subtext of the Tory agenda—to have a two-tier health care system and to build up the private sector in Scotland. I know what our priority is: to build up the NHS in Scotland. We are committed to that task. We are working with the NHS to achieve it, and we will stick to it, because it is the right priority for the people of Scotland and our health service.

I move amendment S1M-2207.2, to leave out from "built" to end and insert:

"... notes the progress that has already been made across Scotland in improving services for patients and believes that continued implementation of *Our National Health: a plan for action, a plan for change* will deliver increasing benefits for patients, with the objective of high quality care for all."

11:17

**Shona Robison (North-East Scotland) (SNP):** I agreed with one thing in David McLetchie's speech, which was that not everything started to go wrong in the health service from 1997 onward, which is why the Tories have no credibility when it comes to the health service. When they open their mouths, it reminds everyone of 18 years of butchery of the health service, from which it has not recovered.

**Ben Wallace (North-East Scotland) (Con):** Will Shona Robison take an intervention?

**Shona Robison:** No thank you.

It reminds people of the madness of the internal market, which David McLetchie seems to want to

re-establish, unless I misunderstood, and the privatisation of public assets. The really irritating thing about all this is that it gives new Labour the excuse time after time to say, "What do you expect after 18 years of Tory rule?" That is beginning to wear a bit thin. Everyone accepts that there are major problems to be resolved in the NHS, except perhaps the Minister for Health and Community Care, who tells us that everything is rosy and condemns staff for daring to complain, which reminds me of a rather famous Tory lady and her "moaning minnies" speech some years ago.

Successive Tory and new Labour Governments have failed the NHS in Scotland. Under the Tories, waiting lists stood at around 80,000. Between 1992 and 1996, the number of nurses in the NHS fell every year, while the number of health service managers quadrupled. New Labour has admitted defeat on waiting lists and scrapped the pledge to bring them down, yet at the same time the median waiting time for out-patients has risen to 51 days. There are 1,000 fewer nurses under Labour than there were under the Tories and nearly 2,000 fewer ancillary staff. In addition, there are almost 3,000 patients awaiting discharge from hospital, and they are occupying more than one in 10 NHS beds.

The NHS has its problems, but privatisation is not the answer. The Tories are in danger of never learning the lesson that ideological dogma is not the solution for public services. However, with the election of Iain Duncan Smith I suspect that we have not seen anything yet. Today's debate shows the direction that the Tories are heading in—the mass privatisation of the NHS, as I am sure that Ben Wallace is about to confirm.

**Ben Wallace:** I wonder whether Shona Robison agrees with her principal spokesman, Nicola Sturgeon, who in an interview with *The Economist* on 14 July mentioned that perhaps we should move to the European system of a partly social-insurance based system instead of a taxation-based system for the provision of health care. Health care in Europe is private and public, and in many countries it is private.

**Shona Robison:** Ben Wallace has misunderstood the concept of the privatisation of the health service, which his party wants to happen.

I find myself in the somewhat strange position of facing a pro-privatisation alliance among the unionist parties in the chamber. The question is just how far each of them will go. The Tories are right about one point in their motion—PFI was their idea, but the Labour party has well and truly stolen the Tories' clothes, making Scotland the PFI capital of Europe.

The question is how much further Labour will go.

Tony Blair wants to go all the way. He still has the scars on his back from the previous big ideological fight, but he won that one and I think that he will win this one too. Henry McLeish was not keen at first but, in true Henry style, he changed his tune and started to talk about how traditional public services had lost sight of their main goal—to serve the public. Does that mean that he believes that the private sector could do better? Does the Minister for Health and Community Care agree with him? The assumption of private sector good, public sector bad has no foundation other than the fact that Tory politicians, and an increasing number of Labour politicians, tell us that that is the case.

Let us consider the reality of Scotland's experience of privatisation. The Tory motion extols the virtues of using PFI to build Hairmyres hospital, yet it fails to mention the problems that have been experienced there. The records of 200,000 patients have gone missing; raw sewage has been seeping through the floor; staff have been receiving electric shocks—I am sure that the people sitting in the gallery will find it strange that some members find that so funny—because of faulty work; meals are being prepared by contractors 200 miles away and the air conditioning is faulty and is causing the building to overheat. Is that success on a plate, minister?

**Susan Deacon:** I wonder whether the SNP's deputy health spokesperson has ever visited Hairmyres hospital. Will she tell us whether she has ever spoken to the staff there or whether she has ever investigated any of the allegations, printed in tabloid newspapers, that she has just repeated? I have done all those things; I have heard directly from patients and staff about what is and what is not working. I have heard from them the effect that such false allegations have had on their morale. Will the SNP tell the truth on those issues?

**Shona Robison:** I will do better than that; I will quote one hospital worker who said:

"Morale couldn't be any lower. We are no longer working as a team because half the staff is employed by a private firm, while the rest are NHS. One team has patient welfare as a priority, the other has profit as a priority."

That came from a hospital worker.

The true cost of the Edinburgh royal infirmary—with the loss of 500 staff, including consultants—has emerged. That is another example of how the price of PFI has to be paid.

The great privatisation itself—of the hospital cleaning services—started under the Tories and continued under new Labour. It is no coincidence that in recent years the incidence of hospital-acquired infections has risen dramatically. That is no surprise, given the fivefold decrease in the



number of domestics in the NHS since services were contracted out. While the Government estimates that hospital-acquired infections cost the NHS £21 million a year, a recent report suggests that they could cost it as much as £186 million. We are supposed to believe that privatisation is cost-effective and efficient. I do not think that it is.

I turn to HCl in Clydebank. The Tories are trying to turn logic on its head with that. Instead of highlighting the solution for the NHS, the Tories are highlighting the problem—there is a lack of capacity in the NHS. That shows the absolute absurdity of the NHS being reliant in any way on the private sector. Instead of pouring more and more money into the private sector we should be building up the capacity of the NHS. The Tories appear to be happy to play the tune of the private sector. However, spending extra money on the private sector would not provide one extra nurse or doctor for the NHS.

**Iain Smith (North-East Fife) (LD):** Will the member give way?

**Shona Robison:** No. I am just winding up.

The Scottish National Party would spend Scotland's money more wisely. An SNP administration would never allow £718 million—money that could have been used for public services—to be underspent. We would make Scotland's wealth work for Scotland's health. Seven hundred million pounds a year could be freed up through spending resources that are raised in Scotland. That £700 million could be spent on Scotland's public services and health service. We would use Scotland's wealth to build up the family silver, not sell it off to the private sector to be lost for ever to future generations. I am happy to move the amendment in my name.

I move amendment S1M-2207.1, to leave out from “welcomes” to end and insert:

“notes that, as a result of successive government policies, Scotland has become the PFI capital of Europe and that PFI is the most expensive method of financing hospital building; further notes that the privatisation of domestic services in hospitals presided over by the last Conservative government has resulted in a deterioration of standards of cleanliness in hospitals and record levels of hospital-acquired infections; believes that further private involvement in the delivery of health services is not in the interests of patients, and is committed to rebuilding a public health service in Scotland that is capable of delivering the highest quality of care for all our citizens.”

11:26

**Mrs Margaret Smith (Edinburgh West) (LD):** I found myself in the unusual position of welcoming much of what David McLetchie said, until he got further into his contribution and then, unfortunately, it all fell apart. I welcome his comments about the contribution made by national

health service staff and his statement that no party in this chamber or elsewhere will have all the answers to health service problems, of which there are, undoubtedly, many.

His motion opens up a thorny debate about the involvement of the private sector in Scotland's health service and in Scotland's wider health. The Liberal Democrats view with concern any plans for the privatisation of the national health service by the back or front door and any attempts to build a two-tier health service that is based on the ability to pay. However, we must also acknowledge the crucial role that private companies play in the health sector, whether they be pharmaceutical companies that are advancing new drugs and funding research, private companies such as Agilent Technologies in my constituency or those in other members' constituencies that are investing in effective employee health programmes that assist the public health of Scotland.

Scotland has made it clear to the First Minister that Mr Milburn's concordat approach is not being followed here, but it is also clear that there is a role for the private sector. Indeed, the minister said in her speech that the national health service occasionally uses the private sector when it is necessary and when there is capacity, and when it is the right thing to do for a patient. I believe that to be the right thing to do.

We will have this discussion time and again between now and the next Scottish parliamentary elections, not least because Mr McLetchie and his party will be intent on building a new, free-market, two-tier health service now that the rest of us have managed to dismantle their last one. The internal market is a recipe for division and for a massive increase in the number of NHS managers instead of—as Shona Robison, the minister and others said—an increase in the number of nurses. The Tories' agenda is driven by ideology and cheered on by their new London master.

I make it clear that I believe that there are two dogmas that we should adhere to for health services in Scotland. The first and fundamental one is to put quality patient care at the top of our agenda. The second is to preserve, protect and improve our NHS and to give real support to the 130,000 staff who work within it. It is essential that those staff are motivated, nurtured and supported to continue to deliver quality services in what are often difficult circumstances. My colleague George Lyon will talk about that at some length in a few moments.

Shona Robison's amendment is right in highlighting some of the difficulties that have arisen because of the privatisation of cleaning services in hospitals. That circumstance plays a small part only in the problem of hospital-acquired

infection, but an important point is that sometimes the private sector does not get things right and sometimes people can see a difference in the quality of service. We should be saying that our No 1 dogma and ideology should be driven by what is going to deliver best-quality patient care. That is our approach.

**Mr Monteith:** Will the member give way?

**Mrs Smith:** Yes.

**Mr Monteith:** Would the member accept that the introduction of competitive tendering exposed many of the problems in catering and cleaning in the health service? Those companies who took on contracts no longer enjoyed Crown immunity, so that when there were problems there was also the ability to solve them. Would the member accept that that was not possible previously?

**Mrs Smith:** I accept that anecdotal evidence and other evidence such as the report that Andrew Walker produced, which Shona Robison mentioned and which was published a couple of weeks ago, say that hospital-acquired infection is a problem. All our constituents say that the cleaning levels in some hospitals are unacceptable. I do not care too much who does the cleaning. I just want to ensure that we have good value for money and good-quality patient care. The people who work in those services should be treated with respect, accorded dignity and given a decent wage for a job well done that will retain them in those hospitals to do that quality work. That is what I am bothered about.

Sometimes we need to find the pragmatic approach to private involvement and ensure that we make that work, whether that be through support for new PFI projects, such as the new Edinburgh royal infirmary. I assure Shona Robison that I support that through gritted teeth. Members should not get me started on the new royal infirmary from a parochial position. However, having toured the new hospital and talked to people there, I know that we will have a state-of-the-art hospital that will deliver good-quality patient care. I would prefer hospitals and schools to be paid for from the public purse, because they are fundamental to public services, but the pragmatic view that we have had to accept is that in order to deliver those hospitals, that is the only game in town. The Parliament has been able to improve matters in connection with PFI, such as contracts. We must make the fundamental acceptance of that fact.

About a year ago, Audit Scotland produced a report that covered the hiring of agency nurses. Sometimes that gives the service flexibility. If a nurse is required at short notice, it may be easier to get one from a bank or agency. However, a price tag is attached to that in the phenomenal

amount of money that that costs the NHS in Scotland, in the continuity of care and in the limited access to protocols that those nurses can maintain on the wards. We must weigh up whether using the private sector will deliver better-quality care.

The jury is still out on the effectiveness of PFI in the long term. I look forward to the Audit Committee's examining PFI. A recent Treasury task force review of PFI suggested that it represented excellent value for money, whereas a report by the Office of Health Economics, which focused on PFI in the NHS, claimed that net benefits appeared to be small and might involve higher costs of borrowing, after accounting properly for risk. That office said that PFI would probably yield better-maintained hospitals over the 30-year period, but concluded that public sector managers should not be forced to adopt a PFI solution. That leads to the suggestion that PFI sometimes may be the right way forward, given further work, and sometimes may not be, as with the Western general theatre extension in my constituency.

The Health and Community Care Committee has not been able to gain information about the cost involved in current PFI projects. We have a problem in the clash of cultures between an increasingly open and accountable Parliament and a secretive, competitive business sector. That breeds suspicion, whether correct or not.

The Tory motion attacks the state of the NHS. We can applaud the barefaced cheek of this discredited right-wing party, but no members should take lessons from the Conservative party on how to run the health service. The Conservatives tried to privatise the health service and turn it into a business. Although we have seen the repentant, acceptable face of the Conservative party in Mr McLetchie, we must never forget that behind him lies Ann Widdecombe. In January 1999, she said:

"I think if someone wants to pay to see their GP they should be encouraged to do so ... The problem with the NHS is that we do not charge for much of what we do."

Miss Widdecombe missed the point. The NHS does not charge for what it does because we believe in a service that is free at the point of need and at the point of delivery. We do not charge for it.

Liam Fox has said:

"Philosophically we have moved on, insurance companies could cover conditions that are not high tech or expensive, like hip replacements and cataract operations ... we would then leave expensive treatment like cancer therapy to the NHS".

Members can imagine the bureaucracy that that would involve and the difficulties that those who

could not afford to pay for health insurance would face.

The Scottish Liberal Democrats are committed to increasing spending in the NHS.

**Mary Scanlon (Highlands and Islands) (Con):** Will the member give way?

**The Deputy Presiding Officer:** No interventions. Margaret Smith is winding up.

**Mrs Smith:** The Liberal Democrats are committed in the Executive to record investment across the board, as the minister said. Everyone will receive a 5.5 per cent increase this year. A record number of operations is being carried out. New measures are being taken to tackle waiting times. A new emphasis is being placed on investment in our housing stock, free personal care, healthy living centres, one-stop clinics, NHS 24 and cancer plans, to name but a few of the initiatives in which we are investing.

We want to ensure that all the people of Scotland have the best-quality public services and NHS. Ensuring that will involve an element of working with the private sector, but not to the extent that the Conservative party would go in taking that road.

**The Deputy Presiding Officer:** We now move to the open part of the debate. Several members wish to speak. In the time that is available, I will be unable to call all those members. I ask the members who participate to keep their speeches brief, to allow me to try to accommodate as many members as possible.

11:36

**Mary Scanlon (Highlands and Islands) (Con):** It is unfortunate that Shona Robison did not deal with improving patient care, but concentrated on the outdated assumption that only state monopolies work. SNP members would be better spending their time in Dundee today, because their contribution to the debate has been zero.

I say to Margaret Smith, my colleague on the Health and Community Care Committee, that she can continue to quote Ann Widdecombe, Liam Fox and whoever, but she does not realise that in the Conservative party, Scottish health policy is devolved to members of the Scottish Parliament. Perhaps policy is not devolved in Margaret Smith's party or the Labour party. If she wishes to quote members of the health team in the Scottish Conservative party, we will take responsibility for those comments.

**Shona Robison:** Will the member give way?

**Mary Scanlon:** No.

We all agree that health care has moved to new

ground. I will start by briefly considering the European Court of Justice ruling that patients can challenge their health authorities to obtain treatment abroad if that cannot be provided domestically in an acceptable time scale. In Germany, any wait for treatment of more than four weeks is considered too long, and in France, any wait of more than two months is unacceptable, yet in the UK, six months is the norm. Many patients in Scotland would be delighted to see a consultant within six months, let alone to wait six months for treatment.

The idea of patients going abroad is not new. I would like to claim that it was a Tory idea, but in 1951, the Labour Scottish Office minister Peggy Herbison organised a scheme for patients with pulmonary tuberculosis to be treated in Switzerland. Seventy patients from Edinburgh—more appropriately known as Auld Reekie at the time—were flown out to Switzerland and joined later by patients from Glasgow. In 1951, Labour recognised that what mattered was what worked.

I would like to correct what Margaret Smith said about the Department of Health's concordat, by Alan Milburn, with the private and voluntary health care sector, which sets out a partnership approach that enables NHS patients in England to be treated free in the private and voluntary health care sector. The concordat says:

"The key test"

for this relationship

"is that it must represent good value for money for the tax payer and assure high standards of care for the patient."

In Scotland, are we saying that we do not endorse those key tests? Is politics in the Scottish Parliament overwhelmed by ideology?

**Dorothy-Grace Elder (Glasgow) (SNP):** I must correct Mary Scanlon's comparison of the 1951 TB epidemic to patients possibly going abroad today. I have written quite a bit about that epidemic, which was of massive proportions. People were dying in this country and the authorities were only too happy to shift patients out to Switzerland, Germany and anywhere that they could send them. It was the national health service that beat TB in the long run, so that TB hospitals had closed by the late 1960s.

**Mary Scanlon:** I thank Dorothy-Grace Elder for her contribution. The national health service also found the best care for patients by sending them abroad.

Can we be absolutely clear about the new definition of waiting time? The British Medical Association suggested that the definition of waiting time should be the time from referral by the general practitioner until treatment. Will the minister confirm whether the new definition of

waiting time is the time taken from being put on a list following the patient's appointment with the consultant or the time taken to wait to see a consultant? If we are to have an honest debate about waiting times and waiting lists, we need to be clear about the definition.

Some waiting lists are closed, including the list for the communications clinic at Raigmore hospital in Inverness. That clinic is where the diagnosis of autism and other disorders—

**The Deputy Presiding Officer:** Will the member please come to a close.

**Mary Scanlon:** What matters is what works. The SNP misleads members when it talks about hospital-acquired infections. Can Shona Robison prove that hospitals that are run by private contractors have lower, or higher, hospital-acquired infections than those in the public sector? We all need to hear that information.

**The Deputy Presiding Officer:** The member must now come to a close.

**Mary Scanlon:** My mother was in a hospital in Dundee that is run by an in-house contractor. That hospital was far from clean.

I will wind up with a final point—

**The Deputy Presiding Officer:** The member must do so very quickly.

**Mary Scanlon:** I want to mention the case of Alec Grant, a patient who has spent three years being assessed and diagnosed inappropriately. He saw a doctor again yesterday, but he has to wait until December to get on a waiting list—

**The Deputy Presiding Officer:** The member must close.

**Mary Scanlon:** He will have to wait a year. If the Executive does not reduce waiting times, clean up hospitals, unblock beds and give patients appropriate care, the money will follow the patient to Germany, France and other countries.

11:42

**Des McNulty (Clydebank and Milngavie) (Lab):** For the Conservatives to have initiated this debate is breathtaking, given the years of underinvestment that we suffered while that party was in power.

In Glasgow, the rate of new hospital building and of lack of equipment is worse than in other parts of Scotland. That situation is only recently being put right through the application of the Arbutnott formula. It is also being put right through the recently initiated £300 million per year programme of hospital building—double that which was spent in 1997.

It is also important to recognise, as did Susan Deacon, the £400 million increase that has been put this year into patient care. There is more money, but there is also an increased need for patient care. We need to address that increased need in different ways.

I have recently begun to follow up the incidence of oesophageal cancer in north Glasgow. Over the past decade, oesophageal cancer has increased significantly in Scotland; we now have the highest incidence of oesophageal cancer in the world. Projections indicate that for the next 10 years, the incidence is likely to increase. Oesophageal cancer is a dreadful form of cancer because of where it is found in the body and because the survival rates are so low.

In recent years, major advances in the management of oesophageal cancer have taken place. These include better staging of the disease, improved endoscopic techniques for curative treatment in its early stages to reduce the need for major surgery and better palliation of the more advanced stages of the disease. We can do more for patients who suffer from oesophageal cancer. We have to look critically and imaginatively at what can be done to assist this group, and other groups, of patients. If patient care is to be our focus, we need to look at patient care from the patient's point of view.

Many of our debates on health are pretty sterile. People can often seem to be chucking figures at each other from one end of the chamber to the other. What is important are patients and what happens to patients. I am angry about what happens to patients in some of our hospitals. I am angry about the time that they have to wait and about the misapplication of invasive techniques because diagnostic techniques are not in place. That is not the responsibility of one political party, but it is for all political parties to do something to put right the situation.

We can prevent much of the distress that patients suffer by engaging in better co-ordination and management. In Glasgow, oesophageal cancer is dealt with in three different places. Every surgeon says that the best people, equipment, research and resources should be concentrated in one place so that people get the best form of treatment. If we engage in a process of better management and co-ordination, we can assist people to make better use of the additional resources that are in the system. We need to focus our attention on the patient's needs and requirements throughout the patient's journey.

I disagree with one point that was made by Susan Deacon—there is a capacity problem in the health service. That is especially true in the area of diagnostic testing. We need more machines, equipment and organisation. That would speed up

diagnosis. However, the additional resources will begin to make a difference to diagnostic testing and to improving elective surgery.

I agree that we have to focus our attention on the priorities of cancer care and cardiac care. If we do that, we can achieve better outcomes for patients.

**The Deputy Presiding Officer:** Will the member please wind up.

**Des McNulty:** We have, and can, achieve better outcomes for patients within the integrity of the NHS. Everybody in the Scottish Parliament would subscribe to that. We should not move outside the NHS, but we must work—

**The Deputy Presiding Officer:** The member must now close.

**Des McNulty:** We must work imaginatively to ensure that people get a better service.

11:46

**Dorothy-Grace Elder (Glasgow) (SNP):** The Tories really are one of the wonders of the ancient world.

**Ben Wallace:** That is you.

**Dorothy-Grace Elder:** You are older than me, sunshine.

Along with the hanging gardens of Babylon and the Colossus of Rhodes, the Tories are talked about, but defunct. However, a fresh breath of stale air seems to have wafted through their ranks since the election of their new leader—the well-known Mr what's-his-name.

In the Scottish Parliament, Tory members, led by Mary Scanlon, have served on the Health and Community Care Committee with distinction and without bias and they have produced some ethical work. However, when grouped together as they are today, only one collective noun can be applied to them—Thatcherism.

A direct attack was made, once again, on the national health service, but the health service is something that every member of the Scottish Parliament must be committed to defending. It is amazing to see the Conservatives continuing to promote zealously the principles of PFI and the private-public partnership. A Treasury committee regards PFI as outdated and attacked those principles in a report. The principles were also attacked in the Office of Health Economics report, which Margaret Smith, convener of the Health and Community Care Committee, mentioned.

Those distinguished bodies could find no PFI deal in Britain that could be proven to be worth more than a public deal. That would have to be the case as, for starters, thousands of millions of

pounds are lost in the VAT shelter that is applicable to public, but not to private, deals. Before the first brick is laid, one finds a large open drain and starts to chuck public money down it. At the end of the day, in a PFI hospital deal, the public do not own one brick. Who would call that a good deal? Only the private market and the financiers would call that a good deal.

**Phil Gallie (South of Scotland) (Con):** Will whoever-it-is give way?

**Dorothy-Grace Elder:** I say to the Conservatives that it is natural for the markets and the private financiers to call that a good deal. Do the Conservatives think that those institutions are into building hospitals because of their love for humanity? Oh, no. They are in it because of their love of lucre. That is the *raison d'être* for many in the Conservative party.

**Phil Gallie:** Will the member give way?

**Dorothy-Grace Elder:** To Phil Gallie, of course.

**Phil Gallie:** Dorothy-Grace Elder is always generous.

The member attacks the Conservatives for their longings and desires for PFI. Surely we are no longer the party of government. Surely she should be looking at the Labour benches, as Labour members seem to have embraced the principles of PFI hook, line and sinker.

**Dorothy-Grace Elder:** It has embraced it like something from "The Kama Sutra".

**Mr Monteith:** Which page?

**Dorothy-Grace Elder:** It has indeed gone further than Phil Gallie's party. As my colleague Shona Robison said, it has stolen the Conservative party's clothes—after it had been stripped naked of all credibility—and run off with them and now it zealously pursues PFI, to no end whatever. The Minister for Health and Community Care says that there is no quick fix. I am terribly sorry, but I do not even see a slow fix emerging—not in Glasgow, where I operate.

The health minister must know from her constituency work the number of people who are trying desperately to have a simple operation done. Her statistics claim that, in Glasgow, for instance, the wait for a hip replacement operation is eight months. The reality is that people have a year's wait to get on the queue to wait for an operation—people in Glasgow, queueing for operations at the Glasgow royal infirmary, have to wait almost a year to see a consultant. Here is a letter from someone in the east end of Glasgow. The man says that his lifespan is limited, that he is in agonising pain and that he can wait no longer for the operation. Patients are deteriorating because they have to take so many painkillers.

I submit that the shambles that is the NHS in Scotland—under new Labour and inherited from the Tories—is cruelty to the Scottish public. I ask members to support the SNP amendment.

11:52

**Iain Smith (North-East Fife) (LD):** Following that speech, I will try to restore some decorum and decency to the debate.

We should not doubt the commitment of every member to improving health care and services for patients. That is a priority of the Liberal Democrat-Labour partnership Government and has already resulted in record investment in the health service in Scotland and improvements to the way in which the NHS operates, such as streamlining and getting rid of the disastrous Conservative internal market.

However, no one pretends that all is well in the NHS in Scotland. We all recognise that it will take time to reverse decades of neglect, particularly under the Conservative Government. The NHS cannot be changed overnight. As David McLetchie said, the NHS was formed in 1948. For 35 of its 53 years, the Conservatives were in charge. No wonder it is in such a mess.

I agree with some of Des McNulty's points about diagnostic issues. Money alone is not enough. Huge capital investment in the NHS has been made, but that is not sufficient. We have to get more nurses, doctors and radiographers in place, which takes time. Nurses, doctors and radiographers cannot be conjured out of thin air; they have to be trained. One big area of neglect during the Conservative Government and the first two years of the Westminster Labour Government was the underinvestment in training for the various health professionals whom we need to improve the health service.

The SNP's amendment is typical of the SNP, as it fails to address any of the key issues.

**Shona Robison:** Will the member give way?

**Iain Smith:** I am sorry, but I have only four minutes.

Cleanliness is important with regard to hospital-acquired infection, but it is not the be-all and end-all. The public are being led to believe that, once our wards are sparkling clean, the problem of hospital-acquired infection will disappear. That is not the case. The issue is about control. The Liberal Democrats were the first to highlight the matter, during the general election. We called for a national strategy and, in particular, for the introduction of infection-control nurses and teams in every hospital. We believe that that is the right way forward. It will result in significant savings to the health service—money that can be reinvested

in patient care.

I am confused by the SNP's amendment. It says that

"further private involvement in the delivery of health services is not in the interests of patients".

However, today's *The Scotsman* reports Nicola Sturgeon on the HCI project. She is quoted as saying that

"the deal would mean patients in Scotland will wait twice as long as their English counterparts before being referred by their NHS trust to private hospitals for treatment."

She says:

"This will further disadvantage Scottish patients who have been waiting too long for operations."

Does the SNP believe in private involvement or not?

**Shona Robison:** Will the member give way on that point?

**Iain Smith:** The member did not give way to me, so I will not give way to her.

The SNP contradicts itself. It wants one thing for some people and another thing for others. It either believes that people have to be admitted to private hospitals or it does not. It cannot say that it thinks the involvement of the private sector is bad for patients and then say that it is bad that that sector is not being given an opportunity in Scotland. That is a typical SNP contradiction.

As for the Conservatives, David McLetchie was right to address issues such as the backlog of ill health. The Liberal Democrats have long said that the problem with the national health service is that it is actually a national illness service. That was why health promotion has been an important part of the Liberal Democrats' commitments in government—£26 million a year will go into the health promotion fund.

David McLetchie referred to Joyce Smith's comments on the situation in Fife. I know Joyce well—we were councillors together in Fife for many years—but she has got this totally wrong. Under the Conservatives, Fife had the worst waiting lists and the longest waiting times in Scotland. We did not have a good health service under the Conservatives and no one should pretend otherwise.

The problem with the Conservatives is that they want a health service paid for by an acceptable level of taxation, but they do not tell us what that acceptable level of taxation would be or how much money they would spend. In particular, they do not tell us whether that acceptable level of taxation will comprise direct taxes such as income tax or whether it will comprise the charges that it will impose on people, such as prescription, eye and dental charges. The Conservatives are dishonest

on taxation and dishonest about the health service.

11:57

**Dr Richard Simpson (Ochil) (Lab):** David McLetchie's interesting analysis, which I listened to carefully, contains many truths. I welcome his acknowledgement of his own part in the sterile inter-party debate that has gone on. I would not call it a debate, however; I would call it scrapping. To call Susan Deacon the worst health minister that we have ever had is pretty rich coming from the party that spawned Michael Forsyth, a total zealot who gerrymandered the health service.

The Conservatives' solution, which was outlined in the second part of Mr McLetchie's speech, is not about pragmatism—which we embrace—but about the creation of a much more substantial private sector. One of my constituents recently had a heart operation in HCI. He was given a deadline by which he would either receive the operation in the public sector or at HCI. When that deadline approached and it was clear that he was not going to have the operation in the public sector because of winter pressures, for example, he had it at HCI. That certainty was important to him and his family. That sort of pragmatism—using the extra capacity of the private sector—is not a problem. The Scottish health service is using the private sector for about 5 per cent of services.

Our pragmatism and the creation of the one-stop clinics—as Susan Deacon said, there are now 300 of them—have meant that another of my constituents was seen in 48 hours at the pain clinic. That was followed up by NHS cardiac laboratory results inside a week and a triple bypass inside three weeks. That is faster than anything I could have achieved for my private patients when I was in practice. That is pragmatism and prioritisation and it is partly what this issue is about.

**Ben Wallace:** On privatisation and coming to an arrangement with the private sector to use spare capacity as the need arises, does the member agree that it is perhaps better to do that on a nationwide basis—as has been done in England—so that we get best value for money?

**Dr Simpson:** No, I do not. If we set specific waiting times and invite the now unified health boards to spell out those waiting times to their local populations, those should be guarantees, beyond which we use the private sector. Alternatively, we should use other health boards, if that is appropriate and if they have no waiting times, as can happen. That is a totally pragmatic approach. We do not need a national concordat in Scotland.

Although pragmatism is important, so is the

building of capacity. I referred in my intervention on David McLetchie to the fact that the number of nurses in Scotland fell by 4,500. We have increased the number to previous levels and are just about to go beyond that. We will have a 15 per cent increase on the planned levels over the next few years. We are improving retention and reducing drop-out rates, although that is still a significant problem and we are not pretending that it has been completely solved.

Doctors are also important. The consultants that Susan Deacon talked about employing do not just drop out of thin air. We have decided, on a UK basis, to increase the number of medical students from 5,000 to 7,500, but that increase will take time to come through. We are building capacity for the long term. As Susan Deacon said, we are not going for a quick fix.

Des McNulty gave the best example of the problems that are created by the internal market—the three oesophageal cancer centres in Glasgow. In my constituency in the Forth valley, competition between Falkirk and Stirling meant that, every time Stirling appointed a consultant, Falkirk had to appoint a consultant, too. That is totally inappropriate for the size of population in the area.

The immediate task of restoring the structure that will create the public sector ethos is now almost complete, and I welcome that. We now have the beginnings of a truly patient-focused, accountable service, whose modernisation is important. In modernising, we must have an open debate with the professions about their undoubted territoriality. As with some politicians, there are medical politicians who need to be told that shouting from the rooftops is inappropriate. I am not talking about the generality of health service staff, who are excellent, get their job done and are a caring set of professionals. However, there is no doubt that some professionals simply shout "Rubbish!" from the rooftops.

What Shona Robison said about Hairmyres sounded reasonable until she said that profit was unacceptable. Some profit is always involved in a private contract, so that is not a problem. I have not had enough time to speak at length about the SNP, but I think that it should look carefully at the Finance Committee's PFI investigation, which I believe will show that the transfer of risks is important in the PPP.

12:02

**Murdo Fraser (Mid Scotland and Fife) (Con):** On Monday evening, Tayside Health Board and the Tayside NHS trusts held a public meeting in Forfar to present their annual report and accounts. No members of the public turned up. In light of the fact that the NHS in Tayside accrued a cumulative

deficit of £16.7 million over the past two years, it is perhaps not surprising that members of the public show no interest in hearing the presentations of health service managers. That is regrettable, because a lot of time and effort must have gone into preparing those presentations.

It is clear that the focus of interest of health service users in Tayside is on patient care, not on reports and not on well-publicised overspends. There is a perception locally that patient care and the interests of health service users have been ignored in recent years. At a time when the future of Stracathro hospital in Brechin, which has served Angus and the Mearns well over many years, is still uncertain, and as Perth royal infirmary will maintain maternity and children's services only because of the tireless efforts of local campaigners who took on the bureaucrats and won, it is hardly surprising that the public are somewhat disenchanted with the local health board.

Across Tayside, patient groups have spent the past two years fighting to ensure the provision of the best possible locally provided health care, whether at Stracathro, at Perth royal infirmary or more locally, and I applaud their efforts. We should remember that the reason given by Tayside Health Board for the removal of acute services from Stracathro was the budget deficit. Now that the minister has announced that the deficit is to be written off, will she tell Tayside Health Board that the acute services have to go back to Stracathro? That decision has to be reviewed.

**Dr Simpson:** Murdo Fraser should be aware of the fact that the overwhelming majority of community hospitals in Scotland were closed by his party. It was the Conservatives who removed local care instead of adapting it, and it was only in the last few years of their Administration that they suddenly realised that that might be a big mistake and conducted a review that concluded that it was a big mistake.

**Murdo Fraser:** Richard Simpson will appreciate that Stracathro is not a community hospital. It was an acute hospital.

**Dr Simpson:** Murdo Fraser referred to local services.

**Murdo Fraser:** Stracathro was an acute hospital, and it is the removal of the acute services from Stracathro that concerns me.

I welcome the introduction of schemes such as care together in Perth and Kinross, and I am delighted that PRI will be a demonstration model for the delivery of maternity services in Scotland through the introduction of midwife-consultant partnerships. However, I am concerned that there is still uncertainty about the long-term future of

paediatric services at PRI. I have met many parents from across highland Perthshire, some of whom have to cover great distances to get access to maternity services. It is for them that we must ensure 24-hour cover. Mothers must be given the choice of giving birth at their local hospital and we must ensure that, wherever possible, first-class local services are available.

**Shona Robison:** Will Murdo Fraser give way?

**Murdo Fraser:** I am running out of time.

I welcome moves to improve health care provision in Angus, another area where patients often have to make long journeys to receive care. It is vital that the new hospital that we are promised for Angus is constructed on the Stracathro site and not at Arbroath or elsewhere in the county. The necessary infrastructure is already in place at Stracathro and the site is readily accessible from most parts of Angus. Most important, an excellent, dedicated work force is already available. The economy of north Angus, which has suffered a great deal in recent years and months, needs the jobs at Stracathro. Just as there was a cross-party campaign to fight for services at Stracathro, I hope that there will be a cross-party campaign to fight for the new Angus hospital to go to the Stracathro site. It should not be elsewhere in the county and, in particular, it should not be split between different sites.

It is essential that any future changes to health care in Tayside take into consideration the need to ensure that the patient's experience is a satisfactory one. Transportation of patients to and from hospital, and arrangements for visitors, are issues that directly affect an elderly patient's experience of hospital.

Communication systems between those who deliver health care and those who receive it must be improved. In its report on the consultation on the acute services review, Tayside Health Board concluded:

"It is no longer sensible to plan services in any one part of the system in isolation."

I am sure that none of us would argue with that sentiment. It is for the Parliament to ensure that every person in Scotland receives the highest possible standards of health care.

**The Presiding Officer (Sir David Steel):** We are running out of time, so there will be only one more speech in the open debate. I call Stewart Stevenson.

12:07

**Stewart Stevenson (Banff and Buchan) (SNP):** I remind members of the voluntary declarations that I have made in the register of members' interests with regard to my pension from



the Bank of Scotland and my shareholdings there. I do that because I have been one of the happy beneficiaries of PFI. Bankers everywhere love PFI and, when we come to the nub of the matter, this Tory debate is about money. In fact, I am holding a bank note that depicts one of the most famous Tories of the 19<sup>th</sup> century, Sir Walter Scott, who is immortalised on our money even today.

**Mr Monteith:** Will the member give way?

**Stewart Stevenson:** We are very short of time. Perhaps Brian Monteith and I can discuss his point privately.

Let me give credit to the Tories. In their 160-word motion—quite the longest sentence that I have seen for a long time—the 15<sup>th</sup> word is “PFI”. At least they are honest about PFI being their policy. In a 10-minute speech, the minister got to 10 minutes and 38 seconds before she mentioned PFI, and yet that is at the core of the policy that the Government is pursuing.

It has been said that there are three kinds of bankers: those who can count and those who cannot. Well, even a former banker like me—*[Laughter.]* They got it. Good. The Tories are awake. Well done. Even a banker who cannot count can see that this debate is about money. The Tory motion is about money, not health.

Richard Simpson made some interesting remarks about community hospitals, building on what Murdo Fraser said. The minister referred to the Arbuthnott formula. In Grampian, 10 per cent of Scotland’s population now receives 9 per cent of health funding, and community hospitals are under threat as a result. In my constituency, the Chalmers hospital in Banff, which has been promised redevelopment for 10 years, is now under serious threat. Community hospitals are a cost-effective way of delivering health care.

Competition has been mentioned, but I have to ask whether it really drives up standards. Supermarkets, which are at the forefront of competition in this country, deliver cheap food rather than quality food by and large, and the Labour party is the McDonald’s party rather than the new party. However, what concerns me most about PFI is much more long term. PFI locks us into long-term commitments—typically for 30 years—and that is a big threat to community health care. We cannot get out of paying for those large facilities that are being developed in many places through PFI.

**Mary Scanlon:** Will Stewart Stevenson give way?

**Stewart Stevenson:** I am sorry, but I am in my final minute.

If we are going to have to focus the expenditure when it is reduced by the Arbuthnott formula, as it

has been in Grampian, we will be at serious risk of not delivering the health service that people want.

I shall conclude with a personal recollection of how patients feel. In the 1970s, when I was doing some parachuting, I came out of a plane, looked up and saw that my parachute had not opened.

**Mary Scanlon:** Had the member packed it himself?

**Stewart Stevenson:** Yes, I had packed it myself. I plummeted towards the ground, but the reserve parachute saved me.

**David McLetchie:** Aw.

**Stewart Stevenson:** Well, that is why I am here today.

These days, many of the people who are on NHS waiting lists feel exactly as I felt 25 years ago as I plummeted towards the ground. PFI is taking money out of the health service that we should be spending on health, not on bankers’ profits.

**The Presiding Officer:** We now come to wind-up speeches. As we are over time, it would be helpful if members could take less than their allotted time.

12:11

**George Lyon (Argyll and Bute) (LD):** I shall try to be brief.

I welcome yesterday’s statement by the Minister for Health and Community Care to the effect that all NHS trust debts will be written off. That demonstrates to the Scottish public the fact that the coalition is committed to improving health care and the fact that that we are making substantial increases in investment in our health services. I shall raise some points specifically on rural health services.

Since the Lib-Lab coalition came to power, investment in the NHS has risen dramatically, which is to be welcomed. That investment is beginning to pay dividends on the ground. In my constituency, there is the prospect of a new hospital. Improvements are being made to medical centres and there has been a general improvement in services. Nevertheless, there is still a fundamental problem in delivering better services in rural areas.

During the summer, Margaret Smith and I spent three days touring my constituency, visiting hospitals, meeting general practitioners and finding out from the front-line troops what specific problems they face daily. The simple message was delivered to us time after time that the fundamental problem that faces general practitioners, nursing staff and practice nurses in the delivery of better services is the recruitment

and retention of staff.

The provision of decent housing for medical staff in rural areas is often an issue. GPs also told me that a big issue is partners' jobs. If the partner of a GP working in an urban area wants a career, there is no problem, because the partner would be guaranteed a job. However, in rural Scotland—in small villages and towns such as Campbeltown—that possibility does not exist, which puts a lot of people off applying for jobs. If their partners cannot secure a job that has career prospects, medical staff are not willing to move to those areas.

Probably the biggest issue, however, is out-of-hours work for GPs in community hospitals. In Campbeltown, some GPs are on call for three or four days a week, which is a huge commitment. They are not on call only as GPs, but as hospital doctors. That can mean up to four or five hours' work a night if there is an emergency in the area. I hope that that issue will be tackled.

A document has been produced by our lead GP, Eric Jespersen, on behalf of the local health care co-operative in my constituency, entitled "Integrating primary and community emergency care services within Argyll and the Islands". That document was commissioned and paid for by the Scottish Executive and contains many good suggestions for ways in which we might tackle the problems. The issues that arise in my constituency arise throughout rural Scotland, so I hope that the minister will look closely at the recommendations in the document, and that the coalition Government will implement some of them.

The Tories' motion calls for the Executive to

"improve standards of health care to the levels of the best European countries without raising taxes to unacceptable levels".

None of the Tory speakers has defined what on earth an unacceptable level of taxation might be. Of course, we all know what the Tories think—Oliver Letwin, the new shadow Home Secretary, certainly has a view on public spending and taxation, which is of cuts worth £20 billion. Iain Duncan Smith is on record as saying that public spending should be reduced to 35 per cent of gross domestic product. The only way in which the Tories can square the circle of making those cuts while bringing health care up to the levels of the best European countries is to abandon the principle of free health care at the point of delivery. The Liberal Democrats and the other parties will oppose that tooth and nail.

12:16

**Colin Campbell (West of Scotland) (SNP):** I will deal with the Swiss issue first. When my late father was first lectured to in Edinburgh University

on the subject of tuberculosis, he was told that sending people to sanatoria did no good and that they might as well be quietly put down. Fortunately, the situation moved on a bit during his career as a chest specialist and he saw tuberculosis off. However, the notion that sending people to Switzerland was a ringing endorsement of privatisation, rather than something pragmatic, is naive to say the least.

**Mary Scanlon:** I should point out that I did not connect tuberculosis patients with privatisation. I was speaking in the context of the European Court of Justice ruling.

**Colin Campbell:** Thank you. I will crack on.

All of us have been in hospitals and have sat with people in the casualty department. We will have been aware that the staff were harassed, overworked and thin on the ground. Indeed, we know that throughout the UK, the health service is trying to recruit people from abroad to make up the numbers. We all recognise the problems and I am confident that we would all try to address them if we were in power.

Susan Deacon got a little bit tetchy about one specific visit to one particular hospital. However, on three occasions recently, I have spoken to various representatives—senior and not so senior—on health boards and it is clear to me, even from the coded language that officials use, that they are a bit short of dough and resources.

I find it incredibly crass that the Tories lodged the motion. Their doctrines produced the experience of PFI—I suppose that they are proud of that. When PFI was introduced, the SNP objected to it on principle, as did the Labour party. The SNP objects to it on the ground that it duplicates the negative aspects of hire purchase: the product can be had sooner, but the eventual price will be greater. That has been known to people for a long time. Paying for hospital construction from Government resources is the cheapest and most sensible option. We agree with Margaret Smith on that point.

In Iain Smith's slight assault on Nicola Sturgeon, he missed out the last part of the quotation—which of course is good politics. Nicola Sturgeon was quoted as saying that the deal

"shows the absolute absurdity of the NHS being reliant on the private sector".

I wonder what the purpose of the motion is. Is it a self-congratulatory memorial to a Tory initiative? Is it designed to test Labour's support for PFI, which it took on board from the Tories? Is it supposed to find whether there are chinks in Labour's commitment to PFI? If it is, I must point out that I have not seen any so far—I have heard none of the Labour members railing against PFI. Is

it a doctrinaire attempt to give succour to the independent sector in health and to aid and abet those whose motives, however pure, are underpinned by the profit motive? The Tories seemed to object when Shona Robison suggested that that might be the case. Methinks they did protest too much.

My bottom line on health is that when I require health care—non-urgent or urgent—it should be provided timeously, efficiently, compassionately and to the highest professional standards. I believe—as, I am sure, all members do—that that applies to every citizen of Scotland. Health care should be free at the point of delivery. We all agree on the objectives: we want the very best—a world's best standard—for all our citizens. That will not come cheap.

It is interesting that, as George Lyon pointed out, the Tories did not address the part of their motion that talks about improving services

“without raising taxes to unacceptable levels”.

I wondered what they meant by “unacceptable levels”, but they did not tell us. Do they mean unacceptable levels of income tax or indirect taxation, which has gone up by the equivalent of 8p in the pound since Labour came to power in 1997. Is that little phrase an admission that Mrs Thatcher's policy of slashing direct taxation was a mistake or that that policy—and Labour's subsequent commitment to it—is a major reason for the resource shortcomings in the NHS?

The Tories' choice of motion raises more questions than they can hope to answer. It highlights the party that led the nation to starvation of resources in health and local government, reduced employment and depressed large sections of the population—probably some of them clinically. The motion reminds us of a party that increased the number of hospital managers from 523 in 1991 to 2,392 in 1996 and reduced ancillary staff from 15,000 to 11,000. I cannot believe that the Tories have been naive enough to embrace the motion and thus draw attention to their appalling record. I exhort all MSPs of intelligence, perception and sense to vote for the Scottish National Party's amendment.

12:21

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** The debate has been good. On a day on which there is good news for the health service in Tayside, I welcome the pupils from Lochee Primary School, which is in Kate MacLean's constituency.

We all appreciated the first half of David McLetchie's speech. He made an interesting point at the beginning: the majority of people are

satisfied with the treatment that they get from the health service, but still have serious concerns about the health service as a whole. We need to remember such facts and perspectives in any health debate.

Clearly, for many people, treatment is good. In fact, it is getting better in many cases. For example, Richard Simpson reminded us of the one-stop clinics that are fast-tracking treatment for so many people. In the context of the references that many members made to heart surgery we should remember, for example, that the median wait for coronary artery bypass grafts is down from 120 days in March 2000 to 73 days in March this year.

There is progress, but we acknowledge the problems that remain. The 89 weeks' wait to which David McLetchie referred is totally unacceptable. Indeed, I used those words in letters to Wendy Alexander and Hugh Henry who wrote to me on that subject.

Mary Scanlon emphasised the importance of waiting for the first out-patient appointment. We are certainly focusing on that now, although I say to Dorothy-Grace Elder that the median wait for the first orthopaedic appointment in north Glasgow is three months not, as she said, a year.

More controversially, in the second part of his speech, David McLetchie turned his attention to the independent sector. We have nothing against the independent sector: I met the Independent Healthcare Association recently. We are supportive of the voluntary health sector and have several new initiatives for it. Many health boards also use private hospitals. The fact is that the independent health care sector has a role to play, but the size of that sector in Scotland is not remotely comparable to its size in England. There are already local links between the NHS and independent providers and we can see no reason to change that to a national relationship, because it would add no value.

**David McLetchie:** Is the minister aware that his department, in an answer from the Minister for Health and Community Care over a year ago, told me that it collated centrally no information about links between health boards, health trusts and the independent sector in Scotland?

**Malcolm Chisholm:** Such links are a matter for local determination. The lack of information does not mean that such links do not happen.

In the second half of his speech, David McLetchie veered towards the traditional Tory dogma—private sector good, public sector bad. Shona Robison, however, appeared to turn that on its head. We are quite happy to use both sectors. We are proud to be supporting the largest building programme in Scotland since the NHS was

established. That means funding some new hospitals by PPP, but it also means using traditional funding. Traditional capital expenditure has increased from £136 million when Labour came to power in 1997 to £295 million this year.

**Shona Robison:** Is the minister equally happy that 500 staff have had to be lost from the Edinburgh royal infirmary due to the costs of PPP or PFI?

**Malcolm Chisholm:** There has been a lot of activity to protect the rights of staff under PPP contracts. That is one of the main changes that we have made to the arrangements that we inherited. Margaret Smith was absolutely right when she said that we should be driven by what delivers best quality patient care.

Shona Robison talked a lot about cleaning services. Earlier in the year, we said that contracting out of cleaning services should no longer be the norm. We are therefore now following the principle that I quoted from Margaret Smith. For the first time, there are national standards for decontamination, cleaning services and infection control. Those standards will be closely monitored. The new Clinical Standards Board for Scotland will establish and oversee those new standards.

David McLetchie pointed out that standards differ in different parts of the country and he proposed competition as the answer to that problem. That has been tried and it has failed. We are rebuilding the NHS as a national service—partly through new bodies such as the Clinical Standards Board for Scotland and partly through the new performance assessment framework, which is starting this year. That framework will examine standards and will also consider issues such as public involvement and other issues across the board.

**Mary Scanlon:** Will the minister give way?

**Malcolm Chisholm:** I might give way in a minute, but I am running out of time so I had better press on.

Des McNulty and Richard Simpson referred to capacity problems. Those problems exist and Susan Deacon acknowledged that. However, they do not exist on the same scale as they do in the rest of the UK. Shona Robison used the figure of 1,000 fewer nurses—a figure that has been thrown around recently by the SNP. The fact is that there are 450 more qualified nurses now than there were when Labour came to power. We must also remember the closing of learning disability hospitals, which meant a reduction in the numbers of nurses, although they might still be working in the community.

Des McNulty also referred to cancer and to

oesophageal cancer in particular. Recently, I was pleased to visit Gartnavel hospital to talk to the gastrointestinal surgeons. We clearly acknowledged, in the recently published cancer strategy, the capacity issues in relation to cancer. I am pleased to see that there have been two new radiotherapy machines installed at Gartnavel. I was also pleased to see new endoscopy equipment.

The cancer strategy and many other initiatives that were announced over the summer all have extra sums of money attached to them. We all know that results matter, but results cannot be achieved without money. Members should remember that there has been an increase in funding of more than £0.5 billion from last year to this year and that there will be an increase of more than £0.5 billion from this year to next year. There have not been such sustained funding increases under any Government in recent times. Everybody should welcome that important development.

The new distribution formula takes account of deprivation and rurality. I hope that that meets with the approval of George Lyon, who majored on that topic. The Executive has already established an expert group—the remote and rural areas resource initiative—to develop responses on the delivery of health care in remote and rural areas. RARARI has established a short-life working group to examine specific recruitment and retention issues that affect staff in the full range of national health service work.

My time is up. I thank members for their contributions to an interesting debate. I hope that everybody will acknowledge the progress that has been made and accept that we know that there is a long way to go.

12:29

**Ben Wallace (North-East Scotland) (Con):** I thank the Minister for Health and Community Care and I welcome the new money that was paid yesterday to Tayside Health Board to cover up its deficit. As identified by Professor Clark, many of the problems in that health board were management problems. It was right to prevent patients in that region from being punished for those failings.

Alan Milburn, the Labour Secretary of State for Health, said:

“I honestly couldn’t sit here and say that for some bizarre ideological reason I was not prepared to contemplate the use of spare private sector capacity in private sector hospitals for the benefit of NHS patients if they are waiting in pain and discomfort.”

Closer to home, Iain Smith was right to highlight Nicola Sturgeon’s remarks about how the use of HCI by English patients from Merseyside would

disadvantage Scottish patients, who would end up waiting longer—far too long.

**Shona Robison:** Will Ben Wallace give way?

**Ben Wallace:** I will come to Shona Robison in a minute, so there is no need to give way to her. After four and a half years under the present Government, I am afraid that Susan Deacon's record does count. Patients are waiting longer, and more of them are waiting. They are experiencing services that are much worse than when we left office. Some of the Government's targets are only just on course to match in about two years' time the targets that we left it with.

I believe that Labour has forgotten about patients. Contrary to Johann Lamont's comments last week—to the effect that no one will trust the Tories with the NHS—people are quickly seeing that we were getting it right and that some of Labour's major policy objectives are failing and failing badly.

The fact that Susan Deacon did not even recognise that there was not spare capacity in the NHS is worrying and Des McNulty pointed that out. One reason why waiting times are increasing is that lack of capacity. Who are we not to use the spare capacity that might be on offer today or tomorrow to prevent patients from having to wait in pain and suffering?

**Susan Deacon:** Will Ben Wallace kindly acknowledge that the NHS uses the private sector in Scotland to deal with capacity issues? Those capacity issues exist in the NHS in Scotland, but the scale and concentration of those capacity issues is not on a par with certain other parts of the UK.

**Ben Wallace:** I acknowledge the minister's point, but why are waiting times still growing larger in many sectors if there is spare capacity? Why are people not being sent to use the spare capacity in HCI? I rang Liverpool Health Authority this morning. People waiting for cardiological treatment wait less time in Merseyside than any normal NHS patient in Scotland, yet it was still felt best to cut their waiting time by using HCI's capacity. If the Executive cannot explore such options, it is doing a disservice to patients.

**Malcolm Chisholm:** Will the member give way?

**Ben Wallace:** I must push on.

Much of the root of the problems lies in the differences between our Minister for Health and Community Care and the Secretary of State for Health for England and Wales. His reform and action plan is called "The NHS Plan: A plan for Investment. A plan for Reform". He builds on our reforms, going back to 1979, and at the same time strives to achieve best value for patients in England and Wales. Our action plan, "Our

National Health: A plan for action, a plan for change", however, wants to change us back to how we were in the 1970s—pre-Griffiths report—to vandalise the empowerment that general practitioners got through fundholding and to remove any element of private partnership or contracting out.

This is the point at which to turn to Shona Robison's amendment. She obviously did not read the Audit Scotland report of a year or two ago, which clearly identified the fact that the main reason for hospital-acquired infections is lack of controls, lack of strategic plans on infections and lack of personal hygiene. Until recently, the only in-house cleaning contract—in Tayside Health Board—had the worst record in Scotland. That does not show that public is best, nor that private is bad.

**Shona Robison:** Is Ben Wallace really trying to tell me that a fivefold decrease in the number of domestic staff working in hospitals could in some way have helped maintain clean hospitals?

**Ben Wallace:** If Shona Robison had read Audit Scotland's study, she would have seen that it was predominantly about control teams. The Executive has rightly introduced infection control and staff to make sure that the problems in that area are put right. It is not about numbers of people. Shona Robison claimed that 500 people are losing their jobs because of the opening of the new Edinburgh royal infirmary. There is something called efficiency—sometimes it works better.

I turn now to the points that were made by Richard Simpson—the pragmatist in an ideological party. He talked about publishing waiting times for health boards and commissioning from one board to another. That sounds a bit like league tables and a form of internal market to me.

I agree with Des McNulty that there were problems with fundholding and that there was fragmentation, but Labour did not have to throw the baby out with the bath water, something that I have heard previously from the Labour benches in relation to the Conservatives. When fundholding was introduced—when 25 per cent of the United Kingdom was covered by fundholding—£65 million was saved by GPs. GPs were allowed to reinvest that money in their practices for treatment on the front line; it was not skimmed off for tax cuts. There were a many very good things about fundholding, and we will not apologise for that.

George Lyon talked about acceptable taxation. We do not want to put in a penny this year, two pennies next year and so on. Where would the Liberal Democrats stop? Drug inflation is running at 10 per cent a year. Do the Liberal Democrats intend to keep raising the rate of income tax by 1p in the pound? To give it its due, the Labour party

has matched the Liberal Democrats' spending commitments and doubled them, without raising taxes by the 1p that the Liberal Democrats continually boast about. We do not want an open-ended commitment. We want to tackle the problems of the NHS for the future. We want to give the NHS a future. To do that, we must start a debate on rationing and on ideology—on what is best done by the private sector and what is best done by the public sector.

Dorothy-Grace Elder talked about sending people abroad. We should remember that in the SNP's Scotland, Carlisle and Newcastle are abroad. As for her reference to the "Kama Sutra", on policy the SNP has had more positions than the "Kama Sutra". Funnily enough, I noticed that the SNP spokesman on defence was present in the chamber this morning. He was obviously trying to avoid the debate on NATO that is taking place in Dundee. However, we do not want to talk about that.

The Scottish Conservatives can live with the compliment that many of the hospital building programmes that have been commissioned were started by us. We can live with the compliment that PFI is an acceptable way of funding some projects, although not all projects. However, we will not stand by while patient care is put to one side for ideological reasons. We want to build an NHS for the future. We will be brave enough to discuss the future funding of the NHS. We will be brave enough to discuss rationing and what we can and cannot do. I urge members to support the Conservative motion.

## Business Motion

12:37

**The Presiding Officer (Sir David Steel):** The next item of business is consideration of business motion S1M-2235.

*Motion moved,*

That the Parliament agrees the following programme of business—

Wednesday 26 September 2001

2.30 pm Time for Reflection

*followed by* Executive Debate on its Support for the Voluntary Sector

*followed by* Motion on the Publication of the Ombudsman for Scotland Annual Report 2000-2001

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business – debate on the subject of S1M-2221 Irene Oldfather: European Languages Day

Thursday 27 September 2001

9.30 am Scottish National Party Business

*followed by* Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Stage 1 Debate on the Police and Fire Services (Finance) (Scotland) Bill

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business - debate on the subject of S1M-2054 Margaret Smith: RCN Scotland's "Value Nurses" Campaign

Wednesday 3 October 2001

2.30 pm Time for Reflection

*followed by* Executive Debate on a Forward Strategy for Agriculture

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business – debate on the subject of S1M-2118 Mrs Mary Mulligan: Oxfam

Thursday 4 October 2001

9.30 am Committee Business

*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

14:30

5.00 pm Decision Time

On resuming—

followed by Members' Business – debate on the subject of S1M-2098 Christine Grahame: Borders Children with Special Education Needs—[*Euan Robson.*]

## Question Time

### SCOTTISH EXECUTIVE

12:38

#### Croy Railway Station (Parking)

**Fiona Hyslop (Lothians) (SNP):** I have some concerns about the motion that is before the Parliament. On Tuesday, when the Parliamentary Bureau discussed the business timetable, we were unaware of information that has since appeared in the press and in a written answer yesterday. We would like to know how on earth the Government managed to underspend this Parliament's and the public's money by more than £700 million. We would have expected an explanation to be provided in a ministerial statement.

**1. Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** To ask the Scottish Executive what discussions have taken place between it, Strathclyde Passenger Transport and ScotRail regarding the provision of parking at Croy railway station for travellers wishing to travel from Croy by train. (S10-3784)

It is interesting to note that the Minister for Finance and Local Government had an unfortunate experience when making ministerial statements in the chamber. On 28 June, he thought it appropriate to make a statement in the chamber about a budgetary matter that involved only £489 million in new money and realignment cuts. However, he is unable to make a statement to Parliament on a matter involving almost double that amount.

**The Minister for Transport and Planning (Sarah Boyack):** That is an operational matter for ScotRail and Strathclyde Passenger Transport Executive, but I understand that there are on-going negotiations on the matter.

Although I am minded to oppose the business motion, on this occasion I will support it. However, the matter that I have raised should be referred back to the Parliamentary Bureau for its meeting next week.

**Cathie Craigie:** I understand the minister's reply. The extension of services from Croy station to Glasgow and Edinburgh has been a great success in encouraging many more people to travel by train, but the station has been a victim of that success because it is unable to provide adequate parking. I have had discussions with those who are involved, but I ask the minister to do all in her power to encourage Strathclyde Passenger Transport Executive and ScotRail to examine long-term solutions and provide adequate parking at the station, which would encourage many more people to use the service.

12:39

**Sarah Boyack:** I am happy to acknowledge that the member has been trying to persuade the two parties to get moving on this issue. Being able to access directly the Edinburgh and Glasgow services has been a huge benefit to people in the Croy area. As the member said, we now have a car-park problem because so many people are using the station. I am happy to make people aware that there are opportunities under the public transport fund for operators and local authorities to work together to submit partnership bids. However, we will have a while to wait because we have just gone through the round for this year's public transport fund. I hope that the fact that Cathie Craigie has raised the issue and has been pursuing it will lead to a speedy resolution in the next year.

**The Deputy Minister for Parliament (Euan Robson):** I hear what Fiona Hyslop is saying. There is an opportunity to raise the matter to which she alludes at next Tuesday's meeting of the Parliamentary Bureau. Equally, the SNP could have the issue debated as part of Opposition business.

The underspend should not come as a surprise to Fiona Hyslop, because on 8 June Peter Peacock made it clear to the Finance Committee that

"In the short term, the committee can expect there to continue to be significant sums of EYF."—[*Official Report, Finance Committee, 8 June 2001; c 1335.*]

I do not doubt that we can discuss the matter on Tuesday.

*Motion agreed to.*

**Andrew Wilson (Central Scotland) (SNP):** I endorse Cathie Craigie's sentiments. I ask the minister whether she will go one stage further and take an active interest by meeting local representatives of all interested bodies and parties. Negotiations between the local landlord and the public agencies that have been referred to

12:39

*Meeting suspended until 14:30.*

have been going on for three years. In the letter I have in my possession just now—

**The Presiding Officer (Sir David Steel):** Order. Supplementaries must be brief, according to standing orders. They cannot be statements.

**Andrew Wilson:** Right. So if I may continue and clear up my point—

**The Presiding Officer:** No. Can we have the answer, please?

**Sarah Boyack:** I accept the member's point that he wishes action to be taken on the issue, as does the whole chamber. It would be highly inappropriate for me to involve myself in land-acquisition negotiations on every railway issue in the country. The key issue is that ScotRail and SPTE work together with the council, as Andrew Wilson suggested.

**Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab):** As MSP of the next-door constituency and neighbour of Cathie Craigie in the chamber today, I am grateful for her work with ScotRail and SPTE. This morning, I saw evidence at Croy station of people from my constituency parking in Cathie Craigie's car park, so will the minister assist us to maintain fraternal relations by examining how she may use her good offices with ScotRail to improve the frequency of stops at Lenzie and Bishopbriggs, which would reduce our perhaps excessive demands on Cathie Craigie's car park?

**Sarah Boyack:** That was a helpful contribution. Access to our railway network is a key issue, on which the public transport fund and discussions on the next franchise come into play, as it was a clear issue in the consultation exercise that we conducted last year. I am happy to reassure Brian Fitzpatrick on that point.

### Police (Funding)

**2. Colin Campbell (West of Scotland) (SNP):** To ask the Scottish Executive what plans it has to fund increased numbers of uniformed police and police support personnel. (S10-3786)

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** The numbers of police officers and police force support staff in Scotland have reached record levels. The funding that we have put in place for the police service should be sufficient to sustain those increased levels. However, as Mr Campbell will know, decisions on the deployment of police officers and police support staff are a matter for chief constables.

**Colin Campbell:** The minister will understand that I understand that it is chief constables' business to deploy their police. Does the minister agree that there are too few police available when members of the public need them; that communities feel let down when their community

police are withdrawn for demonstrations and emergencies; and that police managers have difficulty in matching their human resources to Scotland's needs? Does he agree that a £3 million contribution would provide for a further 1,000 police? Will he press for such expenditure?

**Mr Wallace:** We should perhaps get the issue into perspective. When I announced the investment of an additional £8.9 million for police recruitment in May 2000, the number of police officers stood at 14,699. The latest available figures show an increase over that period of 413 to 15,112. We expect current levels to be sustained as police forces increase their intake of recruits. Support staff numbers have increased over that same period by 184 to 5,340.

I take Mr Campbell's point about visibility. He may be aware that HM chief inspector of constabulary is undertaking a study on the impact of police visibility; public reassurance; the accessibility of policing, given modern technology; and how best to deal with demands. Ultimately, those are matters of deployment for chief constables, but there can be no doubt that the Executive is making resources available to have police numbers at record levels.

**Lord James Douglas-Hamilton (Lothians) (Con):** Is the Deputy First Minister aware that although extra police have been drafted in for the Scottish Parliament police unit, the Executive pays for only 75 per cent of their cost? As those officers are serving the interest of Scotland as a whole, does he not think that that is unfair and that the matter should be rectified?

**Mr Wallace:** I am aware that there is an issue regarding the Parliament's contribution to police funding when the Parliament is in session—obviously the same officers are kept when Parliament is not sitting. That matter is under active discussion between the Scottish Executive and the chief constable of Lothian and Borders police.

**Dennis Canavan (Falkirk West):** Does the minister agree that in the campaign against crime it is not just police numbers that are relevant but the size of police forces and the areas that they cover? Will he take this opportunity to reject any suggestion that one police force should cover the whole of Scotland, bearing in mind the good track record of many smaller forces, such as Central Scotland police, in crime detection and community relations?

**Mr Wallace:** Yes.

**Dennis Canavan:** That is the best answer I have ever received in this place.



### Scallop Industry

**3. Mr Jamie McGrigor (Highlands and Islands) (Con):** To ask the Scottish Executive what it is doing to alleviate problems in the scallop industry. (S10-3780)

**The Deputy Minister for Environment and Rural Development (Rhona Brankin):** The value of scallops landed by United Kingdom vessels in Scotland this year has been as high as it has ever been. The Scottish scallop advisory committee has been set up and has met several times this year. Consultants have been appointed and are working on research into the economic impact of algal toxin closures on shellfish-dependent communities.

**Mr McGrigor:** Is the minister aware that the recent proposal from the Food Standards Agency to substitute the action level of 20 micrograms for a trigger level of 4.6 micrograms will make matters much worse for scallop fishermen and growers and could easily result in the closing of the industry? Is she also aware that the other FSA proposal to move from a gonad test to a whole-animal test might easily reduce the scallop fishery to three months a year?

**Rhona Brankin:** I am aware of those concerns within the industry. Next week, I will meet the Deputy Minister for Health and Community Care and officials from the FSA to discuss the implications of the moves to which Jamie McGrigor refers. However, I am sure that Jamie McGrigor will agree that protection of the public must be a key consideration.

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** A recent written answer to Tavish Scott from the minister confirmed that in the past five years there had been no outbreaks of food poisoning caused by scallops. Why has the inshore scallop sector, which is probably the most environmentally friendly commercial marine activity, had more draconian rules applied to it? Will the minister now consider relaxing the rules on processing so that live scallops can be marketed?

**Rhona Brankin:** I reiterate that protection of public health is a key consideration that underpins every decision that we take about the scallop industry and some of the problems that it has been facing recently.

### Cities Review

**4. Tommy Sheridan (Glasgow) (SSP):** To ask the Scottish Executive whether its review of cities will take into account the effects of the council tax system on low-paid and pensioner citizens of Glasgow. (S10-3815)

**The Deputy Minister for Finance and Local Government (Peter Peacock):** The review's terms of reference are deliberately broad and those who participate will be able to contribute evidence on issues as they see fit.

**Tommy Sheridan:** Every objective observer agrees that the council tax system is extremely unfair and regressive. It hammers the pensioners and the low paid of Scotland while pampering the well paid and MSPs such as the minister.

**The Presiding Officer:** Mr Sheridan, we must have a question.

**Tommy Sheridan:** Will the minister guarantee that he believes that the council tax system must be re-examined so that we can have a fairer system of local taxation?

**Peter Peacock:** As I said, the cities review is an open process. If Mr Sheridan or anyone else wishes to raise those points in that context, they are free to do so, although it is not immediately apparent why council tax is a cities issue per se, because it applies to the whole of Scotland. Mr Sheridan is probably aware that the Local Government Committee is conducting a thorough investigation into local government finance. The Executive has pledged to examine the outcome of that inquiry closely.

**Johann Lamont (Glasgow Pollok) (Lab):** Will the minister acknowledge the significant burden that is carried by Glasgow's council tax payers? That is a council tax issue that relates to cities. Glasgow's council tax payers have that burden because of Glasgow's wider responsibility to the west of Scotland and to Scotland as a whole. Does the minister acknowledge that in giving a commitment on the cities review, it is important that he considers that broader role? My constituents have told me that they feel that they carry a burden because of Glasgow's broader role in the west of Scotland and other places. Will the minister commit the cities review to considering that matter seriously?

**Peter Peacock:** Johann Lamont has made that point several times and I am glad that she has done so again. That is the sort of issue that will be considered in the cities review. That is not a feature of Glasgow only, although Glasgow has a particular responsibility for its art galleries, which are considered a national resource. Other cities, such as Dundee, Aberdeen and Edinburgh, have similar problems. All those matters are open for discussion. We encourage people to raise those issues with us.

**Donald Gorrie (Central Scotland) (LD):** Will the minister facilitate the cities review's consideration of communities situated around a city such as Glasgow—in Lanarkshire, say—which suffer from some of the evils that cause problems

in the cities? Will the review go beyond the boundaries of the cities?

**Peter Peacock:** Yes. It is well understood that cities interact with the regions around them. The city-region relationship is a crucial element of the review. We want to understand more fully how that works and tackle the issues that it raises.

**Alex Johnstone (North-East Scotland) (Con):** Can we be assured that the review will take into account the interests of people in areas such as Invergowrie, Birkhill and Monifeith?

**Peter Peacock:** I have no doubt that the review will take into account the interests of the citizens in those areas, just as it will the interests of those around cities elsewhere in Scotland, because those areas are part of the interaction. How the work will emerge remains to be seen, but I encourage people with views to give us them.

### Autism

**5. Mr Kenneth Macintosh (Eastwood) (Lab):** To ask the Scottish Executive what progress it is making in improving services for adults with autism. (S10-3793)

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** The Scottish Executive provided additional resources of £36 million over three years from April 2001 to improve services for people with learning disabilities, including services for adults with autism.

**Mr Macintosh:** I am aware of Mr Chisholm's personal commitment to improving such services. He will know that support for adults with autism and Asperger's is scarce. Is he aware of the good work that is being conducted by agencies such as the Prospects employment agency in Glasgow to help adults with autism and Asperger's into employment? Building on that work will go some way towards reassuring parents of children with autism that services will be available to support their children when they grow beyond school age.

**Malcolm Chisholm:** Several agencies are doing excellent work. The Scottish Society for Autism and the Public Health Institute of Scotland are doing important pieces of work to examine services for adults with autistic spectrum disorder. When those reports are published soon, we will provide funding for a national network for people with autistic spectrum disorder. That was a recommendation of the learning disability review.

More generally, we are considering all the partnership in practice agreements from local agencies throughout Scotland to find out how they address the recommendations of the learning disability review, including how their services for autism do that. Many areas have good strategies,

but some do not and we will provide feedback to those.

### Drugs (Methadone Programmes)

**6. Mary Scanlon (Highlands and Islands) (Con):** To ask the Scottish Executive how many people in Scotland are currently registered on methadone programmes for drug users. (S10-3790)

**The Deputy Minister for Justice (Iain Gray):** Patients do not require to be registered before receiving methadone treatment. However, the Scottish drug misuse database provides a profile of new problem drug users seen by services. For the year ended March 2001, 2,307 of those were reported to be using prescribed methadone.

**Mary Scanlon:** Given that it was confirmed in a written answer that methadone is more addictive than heroin, will the minister offer methadone users alternatives such as residential detox, rehabilitation and support measures that focus more directly on patient care?

**Iain Gray:** It is interesting to note that methadone treatment is one of the few treatments about which we have proper research evidence. The research shows how beneficial that treatment is in stabilising people's lives and allowing them to contemplate the possibility of rehabilitation. Over recent years, methadone treatment has benefited many thousands of people and it continues to do so. Different treatments will work for different people who are drug-dependent at different times of their lives. We are in favour of providing a range of treatments. As Mary Scanlon said, that means that an individual can find the support that they need. For the first time ever, because of our current investment and the expansion of drug treatment services, that aspiration has some likelihood of becoming a reality. I expect to see it happen over the next couple of years.

**Elaine Smith (Coatbridge and Chryston) (Lab):** Will the minister comment on the success of methadone programmes, including the programme that is run in Coatbridge, Lanarkshire? That programme supports users and the wider society. Will he comment on how more general practitioners can be persuaded to sign up to offer methadone programmes?

**Iain Gray:** In recent years, progress has been made to get GPs to participate in methadone-prescribing programmes. In Lanarkshire, the percentage of GPs who are involved in such programmes has risen from somewhere in the low 20 per cents to nearer 80 per cent, but even in Lanarkshire there are gaps. We are working hard to ensure that training is available for GPs, so that they feel confident about getting involved in such programmes. We believe that the best way of

delivering methadone treatment is through shared-care arrangements, with GPs at the heart. Who is better placed than GPs to ensure the full and proper management of the health needs of the drug user, including substitute prescribing? We will encourage and invest in that to ensure an expansion of those services.

### Health Care Professionals (Rural Areas)

**7. Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** To ask the Scottish Executive what steps it is taking to improve the supply of health care professionals in rural areas. (S1O-3805)

**The Minister for Health and Community Care (Susan Deacon):** The health department is working closely with NHS Scotland to ensure that the needs of rural Scotland are addressed effectively. Recruitment and retention of staff is a central element of that work. A range of specific measures is in place and further proposals are being developed currently by a working group of the remote and rural areas initiative.

**Mr Stone:** The minister will be aware, from correspondence from me, of the difficulties regarding GP cover in the Brora and Helmsdale area of Sutherland. A fairly bitter local situation has resulted. I ask the minister for an assurance that she will examine the situation and suggest remedies. The particular issues of distance and geography affect the supply of GP services in rural areas.

**Susan Deacon:** I am aware of the particular local issue to which Jamie Stone refers, as I am aware of similar situations in other parts of the country. One of the distinctive challenges that we face is to address the needs of rural Scotland. That challenge necessitates our finding effective solutions such as additional investment and the development of personal medical services projects that offer GPs, dentists and others in the NHS alternative contractual options. An investment of close to £8.5 million has been made in PMS. We are creating the conditions for local health systems to find the right way of delivering services in our local areas. I am impressed by the many innovative ways in which health services are already delivered in rural Scotland. I hope that we can build on that good practice.

**Mr Duncan Hamilton (Highlands and Islands) (SNP):** With regard to single GP practices, I ask the minister to go a step further and recognise the example of Dalmally in Argyll, where a single GP practice was filled only by taking a doctor from Caithness. Rather than have one area of Scotland competing against another, will the minister commit to a review of the funding mechanisms for single GP practices throughout Scotland?

**Susan Deacon:** It is worth noting that a considerable piece of work has already been undertaken in this area by the Health and Community Care Committee. Indeed, it continues to be an area of discussion between the Executive and GPs. It is wrong to oversimplify the issues. Many issues need to be considered to do with how we develop the health service in general and rural health services in particular, so that as far as possible we can maintain local access to services, while maintaining standards and providing appropriate conditions and working arrangements for health care professions. There is no simple or quick fix and no one-size-fits-all solution for every part of the country, but I assure members who have an interest in this area that it continues to be a priority area for me and the health department.

**Mrs Margaret Smith (Edinburgh West) (LD):** Given the wide-ranging work load of rural GPs, including work within community hospitals, will the Executive suggest to the relevant education bodies that specific training for undergraduates in the work load of rural GPs would be useful in improving standards and ultimately recruitment into rural areas?

**Susan Deacon:** Over the summer, I visited many parts of rural Scotland, including Shetland, Dumfries and Galloway, and Grampian. One of the recurrent themes in discussion was the need for us to consider education and training as a whole and how that will play a part in the recruitment and retention of GPs and other health professionals in rural areas in future. I am pleased to assure Margaret Smith that the work that is being undertaken by the remote and rural areas initiative is specifically considering that matter, along with other measures that will address recruitment and retention in rural Scotland.

**The Presiding Officer:** Question 8 has been withdrawn.

### Rural Development (Schools)

**9. David Mundell (South of Scotland) (Con):** To ask the Scottish Executive what role the Minister for Environment and Rural Development foresees for rural schools in relation to rural development. (S1O-3778)

**The Minister for Environment and Rural Development (Ross Finnie):** I recognise the role that local schools can play in rural communities. I would therefore expect the availability of school facilities to be a key consideration for local authorities, other bodies and communities in taking forward their local rural development proposals.

**David Mundell:** I thank the minister for that positive response. Is he aware that consultants acting on behalf of Dumfries and Galloway Council

have come forward with proposals that could lead to the closure of more than 40 rural primary schools in Dumfries and Galloway? Will the minister join me in urging the council not to take the decision in relation to the future of those schools in isolation and to take into account the important factors that he has set out in his reply?

**Ross Finnie:** I am well aware of the suggestions of the consultants who reported in Dumfries and Galloway. Like all local authorities, Dumfries and Galloway Council is under a statutory duty to make adequate and efficient provision of school education throughout its area; it is bound to take that into account. If any of the suggestions in the consultants' report become proposals, the authority will have a statutory duty to consult parents and school boards. Should that happen, further consultation would be required.

If the closure of any school meant that the nearest primary school was 5 miles away and the nearest secondary school 10 miles away, it would involve the approval of my friend the Minister for Education, Europe and External Affairs. There are ample opportunities to ensure that the member's council discharges its statutory obligations effectively, before any decision is arrived at.

**Maureen Macmillan (Highlands and Islands) (Lab):** I have had representations from Argyll and Ross-shire, where small rural communities feel that their schools are under threat because—ironically—local authorities now have more money for new school build and are considering building larger, replacement schools to serve a wider catchment area. Does the minister know whether there are any plans to issue guidelines to local authorities regarding the social impact of school closures on rural communities and the impact on such communities when, as seems to happen, their schools are under threat of closure every few years?

**Ross Finnie:** The Convention of Scottish Local Authorities is currently undertaking work to prepare a draft code of practice on school closures. We expect COSLA to take into account all the aspects that pose a threat to rural schools, which Maureen Macmillan has properly outlined. However, it would be improper for me, or for anyone else, to anticipate the outcome of that work.

### Public Transport

**10. Mr Andy Kerr (East Kilbride) (Lab):** To ask the Scottish Executive what steps are being taken, in light of the Learn to Let Go project, to ensure that the public transport system meets the needs of women. (S10-3806)

**The Minister for Transport and Planning (Sarah Boyack):** We plan to publish, by the end of

this year, guidance that will include a checklist of issues relating to gender. It will be for the use of central Government, local authorities and transport operators in designing and implementing policies, programmes and services.

**Mr Kerr:** Will the minister give members more detailed advice about examples of poor practice that currently exist and explain how her initiatives will ensure that women travel more often on public transport? I assume that the targets that she has set herself will have measurable outcomes.

**Sarah Boyack:** The key issue that we want to put across with the guidelines is the fact that many transport operators have not considered the needs of women at all. The research that we have carried out shows that women are concerned about safety and comfort and about physical access. Better lighting, safe car parking, low-floor buses, lifts and ramps, and better storage space for buggies and luggage are the kind of practical improvements that we want operators to work with us to deliver. I hope that the guidelines will raise awareness and will put those issues firmly on the agenda of transport operators.

**Miss Annabel Goldie (West of Scotland) (Con):** I know that we live in an egalitarian age, but would the minister consider it a useful, practical application of the project to encourage more men to let go of their seats in favour of women? [*Laughter.*]

**Sarah Boyack:** Yes.

### Health at Work

**11. Dr Richard Simpson (Ochil) (Lab):** To ask the Scottish Executive what steps are being taken to improve health at work in line with the aims of Scotland's health-at-work week. (S10-3773)

**The Minister for Health and Community Care (Susan Deacon):** The Scottish health plan included a commitment to invest in the success of Scotland's health-at-work scheme by increasing funding to enable more employers to develop health-promoting workplaces. The Executive has already announced additional funding of £6 million over the next three years to enhance occupational health services in workplaces, particularly in small and medium-sized enterprises, and to help implement "Towards a Safer, Healthier Workplace", the occupational health and safety strategy for NHS Scotland.

**Dr Simpson:** This morning, we had a debate about the extent of private sector involvement in health. Does the minister agree that we need to build on community planning for health by involving private employers in health promotion and provision at work? Does she agree that, at this time, employers could join us in promoting flu vaccination for those under the age of 65 who are

at risk?

**Susan Deacon:** I strongly agree with Richard Simpson that employers have a key role to play in promoting the health of employees. I am delighted that the Scottish Executive is working in close partnership with the Confederation of British Industry Scotland and the Scottish Trades Union Congress to ensure that workplaces are healthier environments and that health promotion is increased. Although we have just moved out of Scotland's health-at-work week, it is worth paying tribute to Scotland's health-at-work scheme, which now covers 650 workplaces and involves around half a million employees. That gives some indication of what can be achieved when we put our minds to it and I am certainly determined to develop that work.

**Robin Harper (Lothians) (Green):** Has the minister thought of collaborating with her colleague, the Minister for Transport and Planning, to help businesses to prepare green transport plans to encourage people to walk and cycle to work?

**Susan Deacon:** The Minister for Transport and Planning and I collaborate regularly on the many areas of mutual interest where health-promoting activities can take place in relation to transport policies. The Minister for Enterprise and Lifelong Learning and I have also been collaborating on the issue, as we want to work jointly with Scottish employers to develop their role in health promotion so that we can continue to improve Scotland's health record.

### Water and Sewerage Industry

**12. Mr John McAllion (Dundee East) (Lab):** To ask the Scottish Executive what discussions have been held with Her Majesty's Government regarding the impact of the Competition Act 1998 on the future structure of Scotland's water and sewerage industry. (S10-3812)

**The Minister for Environment and Rural Development (Ross Finnie):** There have been no such specific discussions, because questions on the structure of the Scottish water and sewerage industry, and how it should develop in a more competitive environment, are matters for the Scottish Parliament.

**Mr McAllion:** The minister's predecessor, Sam Galbraith, once described the proposal to exempt Scotland's water and sewerage industry from the terms of the Competition Act 1998 as

"very difficult, if not impossible".—[*Official Report, Transport and the Environment Committee*, 19 December 2000; c 1407.]

Regardless of the technicalities of that act, does the minister agree that if the Executive, backed by

a majority in the Parliament and the majority of the Scottish people, decided to exclude private sector competition from the water and sewerage industry, no one would be so lacking in political sense as to dare to use UK legislation to overturn a democratic decision of the Parliament and the Scottish people?

**Ross Finnie:** If that was the democratic will of the Parliament, that would be the democratic decision. However, I hope that, before arriving at such a decision, there would be full discussion of the serious issues that are involved. We could have an interesting debate on whether denying the pressures of competition to a publicly owned water industry would be in the long-term interests of the consumers—the people whom we are here to represent. However, the answer to the theoretical question of whether the democratic will of the Parliament would be accepted is that it would.

**Richard Lochhead (North-East Scotland) (SNP):** How can the minister reconcile his pledge to open the water industry to the private sector with his and the Government's commitment to prevent water privatisation?

**Ross Finnie:** I am not sure that I have ever pledged to open up the water industry. I have pledged to create a publicly owned water company. The Executive believes that the industry must be able to compete to achieve long-term sustainability. We also believe that it is legally not sustainable to invoke the exemptions under the Competition Act 1998. If we create a publicly owned water services industry that is able to compete successfully, those two positions can easily be squared.

### Women's Offending

**13. Pauline McNeill (Glasgow Kelvin) (Lab):** To ask the Scottish Executive when it will publish details on the progress being made by the ministerial group on women's offending, particularly in relation to the proposal to set up time out centres. (S10-3809)

**The Deputy Minister for Justice (Iain Gray):** A report on the work of the ministerial group on women's offending, including the time out proposal, will be published shortly after the group completes its work in December.

**Pauline McNeill:** The former governor of Cornton Vale prison, among others, has made statements to the effect that there are too many poor, vulnerable women with deteriorating health who are not served by the justice system. Does the minister agree that radical and urgent action is required to reduce the number of women whom we hold in custody and that the development of time out centres could provide an alternative to custody and a more effective way of dealing with

women's offending?

**Iain Gray:** That is the purpose of the time out proposal developed by the ministerial group. What is proposed is a centre that provides a safe environment for women who are serving community sentences, so that there is a greater chance of compliance with those sentences and a greater degree of confidence from sentencers in conferring community service sentences on women. There are many women for whom Cornton Vale is not the most appropriate sanction.

**Phil Gallie (South of Scotland) (Con):** Does the minister agree that consistency in sentencing is all-important to the image of our judicial process? Does he agree that the sentences that are imposed by the courts should be the measure of the nature of the crime, irrespective of the offender's sex? Is that not in line with the requirements of equality under the European convention on human rights?

**Iain Gray:** Phil Gallie is absolutely right. The fact that some 50 per cent of the women who pass through Cornton Vale in a year are there as a result of defaulting on fines for crimes for which custody is not the consistent and accepted sanction is the reason that more alternatives must be provided. Those women are currently being placed inappropriately, according to the logic that Phil Gallie espouses.

**Dr Sylvia Jackson (Stirling) (Lab):** Cornton Vale prison is in my constituency and I am well aware of the problems that Pauline McNeill has outlined. Will the minister assure us that, following Clive Fairweather's assertion that we desperately need to consider alternative strategies, he will consider a pilot scheme to bring in an approach based on halfway houses, as in north America?

**Iain Gray:** There is some difference between what is often referred to as a halfway house and what, in my previous answers, I have called a time out centre. Time out centres support a community sentence, whereas halfway houses are more often seen as prisons in the community. The proposal that we developed is the one that the ministerial group felt had the greatest likelihood of having the biggest impact on numbers in Cornton Vale. I have put my clout, such as it is, behind the ministerial group by chairing it and pressing for the proposal to move forward. I hope that, some time next year, the proposal will turn into a reality and that, soon after that, it will have an impact on numbers in the prison.

#### **Health Service (Dental Therapists)**

**14. Mrs Margaret Smith (Edinburgh West) (LD):** To ask the Scottish Executive what progress has been made in its discussions with Her Majesty's Government on possible modifications

to the role of enrolled dental therapists in the health service. (S1O-3791)

**The Minister for Health and Community Care (Susan Deacon):** The duties of dental therapists are regulated by the Dental Auxiliaries (Amendment) Regulations 1996 (SI 1996/2998). Those regulations are a reserved matter. The Executive is in regular contact with the UK Government on a range of issues, including the regulations.

**Mrs Smith:** I hope that the minister will agree that, given Scotland's poor dental health record, any change to allow the wider provision of dental services, including the use of enrolled dental therapists in general practice in Scotland to bring the country into line with England and Wales, should be welcome. Would she further agree that, if enrolled dental therapists were able to work in general practice, we would have to ensure that work in the community, particularly work with children, was not adversely affected?

**Susan Deacon:** Margaret Smith will be aware of the commitment that the Executive has to ensuring that children's health services, including dentistry, are developed as effectively as possible. We are aware of the discussions on this. The regulation of this profession, as with other health professional groups, is a reserved matter, as we maintain a UK framework for the professions. We are mindful of the issues and I can assure Margaret Smith that, within our powers, we are continuing to invest in and develop professions complementary to dentistry, including therapists and hygienists, to ensure that we have in place the work force that we need, now and in future.

**John Scott (Ayr) (Con):** Is the minister aware that it takes between 18 months and two years—that is, between 78 and 104 weeks—to get an orthodontic appointment at Ayr hospital? Does she agree that that situation is totally unsatisfactory? Is there anything that she can do about the fact that there have been problems with orthodontistry in Ayr for some time?

**Susan Deacon:** I agree that the example that the member cites is unacceptable, but I hope that he will agree that it is not typical. There are huge variations across the country and we have made it clear that in orthodontistry, as well as in other aspects of NHS care, we wish there to be greater equity across the country and we want the extremes of waiting times to be reduced. We are working jointly with the dental profession on the best way of doing that, which is to invest in the service to find different ways of developing teams of staff to provide dental care. That way we can maintain NHS dentistry, rather than, as the Conservatives did in this morning's debate, simply looking to the private sector as a solution.

## Housebreaking

### 15. Elaine Thomson (Aberdeen North) (Lab):

To ask the Scottish Executive what progress it is making in tackling housebreaking. (S1O-3781)

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** Housebreaking in Scotland fell by 10 per cent between 1999 and 2000. In order to ensure that progress in the reduction of housebreaking is sustained, in May of this year I agreed with chief constables that Scottish forces should work to a target of reducing housebreaking by a further 10 per cent by the year 2003-04. It is for chief constables to make the operational decisions necessary to achieve that target.

**Elaine Thomson:** Is the minister aware of the recent success of Grampian police in reducing housebreaking by 40 per cent in my constituency, through the introduction of an innovative repeat victimisation strategy? Will he join me in congratulating Grampian police on their success? Will he consider whether the strategy would be of value to other Scottish communities?

**Mr Wallace:** I am aware of that considerable success in reducing housebreaking by up to 40 per cent. I join Elaine Thomson in congratulating Grampian police, who have attributed much of their success to partnership working with the local community and various agencies.

As Elaine Thomson indicated, the repeat victimisation strategy has been an important part of tackling housebreaking in her constituency. A conference was organised by the then Scottish Office and the Scottish Police College in 1998 to learn lessons about repeat victimisation. A conference report and a research report on repeat victimisation in Scotland were published last year. Good practice guides have been issued to the Scottish constabularies. In addition, there has been a series of presentations to senior officers in the Scottish police forces. Such dissemination of good practice is clearly bearing fruit in Aberdeen. I am sure that that is a model for other parts of Scotland to follow.

## First Minister's Question Time

### SCOTTISH EXECUTIVE

#### Prime Minister (Meetings)

#### 1. Michael Russell (South of Scotland) (SNP):

To ask the First Minister—[*Applause.*] I hope that the welcome will be as warm when I finish as it is now.

To ask the First Minister when he will next meet the Prime Minister and what issues he plans to discuss. (S1F-1243)

**The First Minister (Henry McLeish):** I am sure that the whole Parliament warmly welcomes Mike Russell to his new post, however temporary it may be. I know why he—always a man of sound judgment—would rather be here than at the Scottish National Party conference.

I last met the Prime Minister on 1 September and we have no immediate plans to meet.

**Michael Russell:** It is always important to ask the First Minister questions, but I hope that we will get some answers today.

After yesterday's announcement about underspends, will the First Minister consider selling tickets for his next meeting with the Prime Minister? It will truly be worth witnessing: he will have to explain why he is constantly telling the press that he needs more money for programmes when he cannot spend the money that he has.

One of the miracles that the First Minister has achieved is in the modernising government programme. That programme started out with a budget of £13 million and ended up with an underspend of £22 million. It almost doubled its budget. Will the First Minister tell us how that was achieved? Did the staff hold a flag day, for example?

**The First Minister:** I am sure that the Prime Minister of the United Kingdom will be delighted to know that the SNP would like to attend future meetings that we have with him.

Although we hear a new voice, we hear the same old tune. As Mike Russell knows, end-year flexibility is a well-understood process that allows departments to carry over underspends. Of course, he has been rather selective in the points that he made. He might have been better to read what I regard as an unbiased and reliable newspaper—*The Courier and Advertiser* in Dundee. When the Minister for Health and Community Care made her announcement on debt to Tayside University Hospitals NHS Trust—I believe that Mr Swinney is interested in that—the

newspaper reported:

"Health service managers and senior medical staff burst into impromptu applause".

That seems to me to be a wise response to the wise decisions that are being made in the Parliament and by the Executive.

**Michael Russell:** Perhaps I could quote another reliable newspaper—at least, the Labour party used to think it was reliable—the *Daily Record*, which ends its leader today with the words that the First Minister should "GET A GRIP!"

I remind the First Minister that this is question time. For him, it is answer time. If he is incapable of answering questions on the generality, I will deal with the specifics. What explanation has the First Minister sought from the Minister for Education, Europe and External Affairs for the fact that he managed to avoid spending £86 million, which is one third of his budget? What explanation has the First Minister sought for the fact that the Minister for Education, Europe and External Affairs said to Parliament in February:

"The Executive has made additional resources available for teachers' pay and we stand by that commitment"?—*[Official Report, 14 February 2001; Vol 10, c 1203.]*

It is obvious from the figures and from the explanation given by the Minister for Finance and Local Government that the money was found by holding back money from existing programmes—holding back from spending money on schools, material and books. What action is the First Minister taking to get an explanation from the Minister for Education, Europe and External Affairs?

**The First Minister:** The propensity of the SNP to get its sums and arguments wrong grows daily.

No wonder the Minister for Education, Europe and External Affairs is smiling wryly to himself. The SNP has recently developed the skill of posing a question and, in a further part of the question, answering it.

The prudence that the Minister for Education, Europe and External Affairs has shown in his education budget means that we have the best teachers' settlement we have seen in a generation. We have policies that go to the heart of education. We will take no lectures from a party that continually gets its sums wrong, as I said.

**Michael Russell:** The First Minister still does not answer the question. I understand, the chamber understands and the whole of Scotland understands why the First Minister cannot hold his education minister to account.

Talking of education, does the First Minister recall that on 22 August 2001, standing shoulder to shoulder with his Minister for Education, Europe

and External Affairs in Livingston, he announced a programme of £12 million for refurbishing Scottish schools? That is just over 1 per cent of what Scottish schools say they need. At that time, did the First Minister know that there was an underspend in the education budget of an amount that was double the annual budget for refurbishing schools? If the First Minister knew that, why was he not honest about it at the time?

**The First Minister:** I am sorry to be repetitive when I am helping Mike Russell in his new and arduous role. He has a difficult act to follow. However, when he cannot distinguish between end-year flexibility and the investment provided by the chancellor for what we are doing in schools, it beggars belief.

I say again that we are starting to invest in our schools and school buildings after 20 years of neglect by the Conservatives. We are happy to provide a blow-by-blow account of how the education budget works.

Despite Mike Russell's performance today, I would still rather speak to him because there has been some innovation. With John Swinney, there is usually not a great deal.

### Cabinet Reshuffle

**2. David McLetchie (Lothians) (Con):** To ask the First Minister whether he has any plans to reshuffle his Cabinet. (S1F-1245)

**The First Minister (Henry McLeish):** No.

**David McLetchie:** There will be disappointment and delight in equal measure on the Labour benches at that answer. If the First Minister will not change the personnel, perhaps he might change the policies, particularly in relation to the health service.

Only this morning, we read that 40 national health service patients from Liverpool—who have waited six months for heart bypass surgery—are to be operated on at the HCI International Medical Centre in Clydebank. If what matters is what works, as the First Minister is constantly telling us, why is it that patients in Scotland have to wait 12 months before they receive similar consideration for an operation? Six months in Liverpool and 12 months in Glasgow. Is that what the First Minister means by a two-tier health service? Does he find that acceptable?

**The First Minister:** First, we do not have a two-tier health service in Scotland. That was another illustration of the attempt to talk down a programme that is serving the interests of the wider public.

Although it was as if some of David McLetchie's comments this morning were a revelation, we already use private facilities, where appropriate,



and will continue to do so. In that sense, David McLetchie has not thrown a bit of magic into the debate. However, we must recognise that private facilities have only limited capacity in Scotland.

Let us turn to the challenging issue of waiting times. In terms of average waiting times, Scotland compares favourably with any other part of the United Kingdom. We have an important commitment to bringing down the average waiting time to nine months and an important commitment to planning ahead. If a situation arises in which it is appropriate to use private facilities, the Minister for Health and Community Care would want to do so.

**David McLetchie:** That is an interesting answer.

Perhaps the First Minister could tell me why it is appropriate for patients from Liverpool to get heart bypass surgery in Clydebank, but it is apparently not appropriate for patients in Glasgow—waiting for the same operation—to get the operation on their doorstep. Why is the First Minister not prepared to take the further step that has been taken down south? Why will he not enter into a proper working agreement with the independent sector in Scotland to ensure that NHS patients here get the same benefits—the results of which we now see—as those in England?

I asked the First Minister about that two weeks ago and he failed to answer. I ask him again for a clear answer. Will he kindly take off the ideological blinkers and be prepared, for the sake of patients, to consider the measure for Scotland?

**The First Minister:** There is no end of ideology among the Conservatives, who argue for privatisation. The Scottish National Party argues for no private sector involvement whatever. David McLetchie quoted me last week, saying that what matters is what works. We are doing exactly that in the health service.

I am a bit vexed to have missed this morning's debate—any health debate with mention of "The Kama Sutra" or talk of clothes being stolen from a party

"after it had been stripped naked of all credibility"

must have had a bit of spice. Thank goodness, because David McLetchie's contribution to the health care debate is again singularly inappropriate. We are doing the very things that are pragmatic in Scotland. Health care matters to us. We will therefore use private facilities where appropriate. That is important, and I am sure that it is a view that the Scottish people support.

### Care of the Elderly

**3. Shona Robison (North-East Scotland) (SNP):** To ask the First Minister what discussions have been undertaken with Her Majesty's

Government regarding the recommendations of the care development group. (S1F-1249)

**The First Minister (Henry McLeish):** The Scottish Executive is in regular contact with the United Kingdom Government on a wide range of issues, including the report of the care development group.

**Shona Robison:** The initial cost of the care development recommendations is £125 million per year, which assumes that the Westminster Government will amend existing social security regulations. If Westminster refuses to amend those regulations, can the First Minister tell us—if he can get his sums right today—which part of the care development plan would have to be cut to fund the £20 million hole that would open up in the free care proposals?

**The First Minister:** I have said this many times, but I repeat it today: we will deliver full personal care to the people of Scotland. Because of the publication of the report, we will be able to move soon to announcing the Executive's response to what I regard as an excellent paper. Discussions are on-going on a number of issues relating to the care development group report. Those discussions with Westminster are constructive and helpful.

I will not introduce a jarring note by talking about the SNP's inability to get its arithmetic right. There is no gap in our funding proposals. There is the biggest commitment to the biggest aspiration that we have had for older people in Scotland for a generation.

**Mary Scanlon (Highlands and Islands) (Con):** Both the Sutherland commission and the Health and Community Care Committee recommended a single budget for care in the community. Why has that recommendation not been accepted?

**The First Minister:** Mary Scanlon's point is a practical one. Suffice it to say that the response to the care development group report will be forthcoming, literally within days. We want not only to respond to that report but to the wider issues affecting care in the community in Scotland.

### National Health Service (Pay and Morale)

**4. Tommy Sheridan (Glasgow) (SSP):** To ask the First Minister whether the industrial action being taken by medical secretaries in Glasgow and the current ballots for industrial action taking place in the Lothians are related to pay and morale levels across the NHS in Scotland. (S1F-1255)

**The First Minister (Henry McLeish):** No. That is an increasingly exceptional issue.

**Tommy Sheridan:** The First Minister recently said that health care matters. I hope that he would agree that health workers matter too, and that he

welcomes the striking medical secretaries to the Parliament today. Most of them would rather be here in better circumstances. Three hundred of them have taken strike action for the first time in their lives. The majority of them have worked as medical secretaries for more than 20 years. Their wage level is between £700 and £780 per month—I call that low pay. Does the First Minister think that the medical secretaries have a justified case, and does he agree that the North Glasgow University Hospitals NHS Trust should stop bullying and start negotiating?

**The First Minister:** The first part of that question was about how we value health service workers—we do. At a recent opening of a new hospital, the Minister for Health and Community Care and I said that we can have buildings, technology and institutions, but what really makes hospitals work is the quality of the staff. The national health service in Scotland has negotiated a national framework agreement with Unison that is worth 22 per cent above inflation over the next three years for the medical secretaries concerned. The vast majority of medical secretaries have already voted to accept the national framework and NHS in Scotland chief executives agreed on 18 September to implement the agreement throughout Scotland as quickly as possible.

As a good trade union supporter, I think that what has happened is positive. I hope that the agreement wins the hearts and minds of the medical secretaries and that they can continue to contribute to the quality of our health service.

**Pauline McNeill (Glasgow Kelvin) (Lab):** Does the First Minister agree that under Labour the morale of NHS staff is better? For example, Labour has removed the two-stage pay offer for nurses that was imposed under the Tories. At the Royal hospital for sick children in my constituency, management and unions have agreed a phased programme for ancillary staff to return to the NHS conditions and pay that they were denied under the old compulsory competitive tendering regime that was imposed on low-paid workers.

**The First Minister:** I endorse Pauline McNeill's comments. Conservative members may laugh, but over the past three years an extra £1.8 billion has been invested in the NHS. That should be compared with the paltry sums that the previous Government invested in the health service.

We want to talk up morale in the health service, because there is a good story to be told. We have not solved all the problems and there are enormous challenges ahead, but when one considers that we are seeing the biggest hospital building programme in a generation and investment in new staff and better pay, it is clear that the NHS is moving forward. The Parliament would serve well by supporting the people who are

taking the health service forward.

**Ms Margo MacDonald (Lothians) (SNP):** Will the First Minister eschew complacent self-congratulation and recognise that, even following the welcome announcement by the Minister for Health and Community Care that the Executive intends to write off deficits, 200 jobs will be lost in Lothian among medical workers? Does he believe that that does anything to enhance morale in the health service?

**The First Minister:** We are providing record sums to health authorities in Scotland. It is for health authorities to ensure equality of service, investment in staff and continuing refurbishment of infrastructure and buildings. That is what is happening. I repeat: the Executive is providing the health service with formidable sums of money. A massive commitment has been made by a coalition that believes in the NHS. Listening to the Conservatives and the SNP, I often wonder whether they are committed to the kind of things that we are doing. We do not mind whether they are, because we are.

#### Homeless People (Mental Health)

**5. Janis Hughes (Glasgow Rutherglen) (Lab):** To ask the First Minister how the Scottish Executive will assist homeless people who also have mental health problems. (S1F-1252)

**The First Minister (Henry McLeish):** The Scottish Executive highlighted the overall health needs of homeless people in "Our National Health: A plan for action, a plan for change", our blueprint for NHS Scotland. To meet those needs we have appointed the health and homelessness co-ordinator. This week we issued guidance to NHS Scotland outlining the action that NHS boards must take to address the health needs of homeless people, including those who have mental health problems.

**Janis Hughes:** Is the First Minister aware that the centre for housing policy estimates that people who sleep rough are up to 11 times more likely to suffer mental health problems than people who are housed? Will he commit the Executive to monitoring the work of NHS boards in ensuring that homeless people are provided with every opportunity to access appropriate health services?

**The First Minister:** I am pleased to respond to the very good question that Janis Hughes has posed. Our overall strategy is for boards to meet the needs of the most vulnerable, including homeless people, from the substantial increases in funding that have been provided. This year boards have received an average increase in funding of 5.5 per cent. Greater Glasgow Health Board has received an increase of 7.72 per cent. Greater priority is being given to mental health in Scotland,

and the assumption is being made that people who are homeless have more problems than most. Over the next three years we intend to tackle both issues.

### Air Pollution

**6. Nora Radcliffe (Gordon) (LD):** To ask the First Minister what health benefits will be derived from setting tougher standards for air pollution. (S1F-1247)

**The First Minister (Henry McLeish):** Tougher standards for air pollutants will result in reduced hospital admissions of susceptible individuals, such as those who suffer from heart and lung diseases, and will reduce the risk of premature death of those who are seriously ill.

**Nora Radcliffe:** Is the First Minister aware of research by the University of St Andrews that involved using an aggregate pollution index to allow for the first time a rigorous estimate of the number of premature deaths attributable to total air pollution? Does he agree that the method that has been developed should be used to measure the impact of air pollution on health throughout Scotland? Does he also agree that such data, by quantifying the cost of air pollution to both the public and the public purse, would underpin, promote and encourage action to reduce air pollution?

**The First Minister:** I agree with both the sentiment and the substance of Nora Radcliffe's comments.

In a sense, air pollution is a difficult area to which to give a high priority. This week, we have moved forward. We want to base our actions on hard evidence of the benefits that may accrue and of the return on our investment. There will be costs associated with meeting our new objectives, but for the people of Scotland that will be a worthwhile investment in this environmental issue.

**The Presiding Officer (Sir David Steel):** Before we come to the next debate, I invite members to welcome a delegation of colleagues from the Catalan Parliament, headed by its President, Señor Joan Rigol. [*Applause.*]

## Schools (Assessment)

**The Presiding Officer (Sir David Steel):** The next item of business is a debate on motion S1M-2236, in the name of Jack McConnell, on effective assessment in Scotland's schools. I invite those members who wish to take part in the debate to press their request-to-speak buttons.

15:31

**The Minister for Education, Europe and External Affairs (Mr Jack McConnell):** Effective assessment is at the heart of good learning and teaching and of best professional practice in our classrooms. I welcome today's debate and the opportunity to outline our plans.

Educational assessment should tell us whether the learner has learned what was intended and, if not, what needs to be done about that. It should also tell us whether the class or the school—or even the whole system—is achieving continuous improvement through the standards that we want to be achieved.

Accurate information leads to action: action to stretch children further; action to support learners when they need help; and action to improve the quality of provision and practice in schools.

Assessment is important for everyone—for pupils, teachers and parents, for education authorities and for the Executive. That is why I want to put improved assessment at the top of the education agenda. The measures that I will outline are designed to ensure that Scotland has a coherent and effective system of assessment that is clearly focused on promoting progress and learning.

The chamber has already had debates on the new national qualifications. As members know, I am determined to ensure that any unnecessary administrative burdens associated with those assessments are removed. The national qualifications task group is acting on that issue as a priority.

Today, I have published a consultation document on whether there is a need for radical change to assessment models in the new national qualifications. The responses will allow us to take careful account of what stakeholders tell us and to ensure that any changes are carefully thought through before decisions are taken.

For the earlier years, we have consulted widely on the options for change that were set out in the "Review of Assessment in Pre-School and 5-14", which was produced by Her Majesty's inspectors of schools. The responses showed that teachers, parents and managers in education recognise the

need for improvements in assessment but prefer to build on existing good practice rather than go through yet more radical change.

There was wide agreement that assessment and feedback are at the heart of effective teaching and learning and that we trust our teachers to judge how well pupils are learning. Our teachers are well placed to make those crucial judgments. I do not propose to take those important professional responsibilities away from teachers by imposing a new system of regular, externally marked, fixed-point written tests. I do not want 60,000 seven-year-olds from throughout Scotland all to sit quietly in rows taking the same tests on the same day of the year, nor do I intend to go back to a secretive education service where information about children's progress never left the school and rarely got to parents.

Information collected must be used effectively and promptly to inform action. Therefore, the Executive will continue to publish information about performance and will explore with stakeholders the best ways of analysing and presenting that information in order to ensure that those who achieve continuous improvement are recognised and that bald statistics do not make good schools look like failures.

**Michael Russell (South of Scotland) (SNP):** We will make the argument about publishing statistics part of our platform on another day, not today. For the avoidance of doubt, however, what the minister has just said is a complete refutation of the story—some might call it a campaign—that *The Scotsman* has been running for standardised national primary testing.

**Mr McConnell:** I share the commitment of *The Scotsman* to improved assessment and higher standards in Scottish schools. I hope that it will be convinced by my arguments and proposals today.

Assessment provides information and feedback not only for the Executive and education authorities but for teachers, pupils and parents.

**Dennis Canavan (Falkirk West):** Whatever happened to the Labour party's commitment to replace or supplement league tables of raw examination marks or test results with some measure of added value that would give a fairer and more objective reflection of the actual educational improvement that has taken place in schools, such as those in deprived areas, in which teachers often achieve heroic results?

**Mr McConnell:** That is exactly what I meant when, a moment ago, I said that I wanted to discuss with stakeholders the best ways of analysing and presenting the information to ensure that those who achieve continuous improvement are recognised and that bald statistics do not make good schools look like failures. We intend to

move forward on that point.

Quite frankly, the current collection of assessment initiatives in our education service astonishes me. There are transition records from pre-school to primary 1, from primary 7 to secondary 1 and from school to work. There are personal learning plans, records of needs and individual educational programmes. There is the progress file, which has replaced records of achievement. There are different report cards in nearly every school, which are sometimes incomprehensible for parents, especially when children move from one school to another. There are also national qualifications, national tests and the assessment of achievement programme.

Members may be confused, but so are most people—particularly parents and, occasionally, teachers. We do not need any more new initiatives; we already have plenty. Each one has its advantages, but we do not need so many different approaches. I am determined to simplify the system.

We intend to develop a single coherent system that encompasses the best elements of all those initiatives. As a parent, I know the importance of the school report card. Already, steps are in hand to improve the pre-school to P1 transition records. We will look at best practice in the design and content of report cards across Scotland and consider this year the introduction of guidance on reports for parents and pupils. Reports should be easy to administer and as helpful and informative as possible.

I recognise that if head teachers, education authorities and others are to exercise their responsibilities for continuous improvement, they need accurate information about pupils' collective progress and attainment. At present, we collect information that can be used for monitoring in various different ways. For example, teachers provide education authorities and the Executive with information about pupils' attainment of five-to-14 levels in reading, writing and mathematics. That information is backed up by national tests and is summarised by the Executive in the annual five-to-14 survey of attainment. The Executive also runs the assessment of achievement programme, which, over a three-year rolling programme, reports in some detail on achievement of five-to-14 levels for a sample of P4, P7 and S2 pupils in English, maths and science. I propose that those approaches to monitoring will be streamlined into a single integrated system.

Although we will continue to rely on schools and the professionalism of teachers to provide information about pupils' attainment, I want teachers to get focused support and improved second-generation national assessments, which will be developed from the current national tests,

to confirm their judgments and improve consistency across Scotland.

At present in Scotland, there are national tests in reading, writing and mathematics only. I propose to investigate the possibility of extending the next generation of national assessments to science. I also plan to shift the focus of the assessment of achievement programme so that, as well as the knowledge and concepts for each year's subject area, it includes attention to the core skills of literacy, numeracy, information technology, problem solving and working with others. We will confirm our plans following further discussion with stakeholders.

**Michael Russell:** On a point of order, Presiding Officer. When a minister makes what is, in essence, a statement of new initiatives, it is normal for Opposition spokespeople to be provided with information on the statement. Mr McConnell has always extended that courtesy in the past, but will you note that that has not happened on this occasion? This has been a statement of announcements, but without the courtesy of providing a copy of it to the Opposition parties.

**The Deputy Presiding Officer (Patricia Ferguson):** That shall be noted.

**Mr McConnell:** One minute we are criticised for having information all over the press before making statements and the next minute we are criticised for not making information public. I do not think that anything has been said today that I have not said regularly over recent weeks. It is important that, in the chamber today, we comprehensively debate the need to improve assessment in Scotland's schools. That is why I am touching on all these different subjects.

I will continue to use the assessment of achievement programme to monitor, for a sample of Scottish pupils each year, national levels of attainment and changes in attainment levels over time. In order to strengthen monitoring arrangements, I will link the AAP to the annual survey of five-to-14 attainment.

I intend to establish a unified bank of national assessments that teachers and the Executive can draw on for the new national assessments and the AAP surveys. We will use the AAP results each year to validate and confirm the reported results of national assessments by schools.

We will act on the results. Today, I am publishing the results of the 2000 survey of mathematics. I am happy to say that the results show a significant improvement in the attainment of pupils at P4, P7 and S2 since the previous survey in 1997 and an overall improvement since 1988. Most pupils in P4 are now reaching level B, the target level for their stage. That is welcome

news and reflects the hard work that has been going on in our schools.

However, at P7 and S2, attainment is still well below target levels. Teachers and pupils will need to sustain and improve on the welcome rise in attainment in order to achieve more satisfactory standards. The survey results show that we need to pay particular attention to the learning of low attainers in mathematics in S1 and S2. They also show that, at S2, boys are underperforming at level E. We will build on the results and we will work to improve maths provision in our schools. We will use the monitoring to make a difference in our education service.

Finally, I want to touch on the need to explore ways of making the best use of information technology to support all aspects of assessment. We will explore the possibilities of providing teachers with electronic access to banked national assessments through the national grid for learning. There have been interesting developments in that area in the UK and across Europe, and we will need to take full account of the expertise that is available elsewhere. Education authorities and schools have already been exploring ways of electronically storing pupil records and results—again, we need to build on that experience.

In all this, we need to involve stakeholders in pulling the threads together. We will therefore shortly establish an action group to take the proposals forward.

Assessment matters. It improves learning and teaching and leads to continuous improvement in the classroom. We will develop a single coherent system that encompasses the best elements of the current initiatives. We will examine good practice and introduce guidance on report cards and parental information. We will integrate the five-to-14 survey of attainment and the assessment of achievement programme. Finally, we will establish an action group of key stakeholders to take forward the proposals.

Albert Einstein had on the wall of his office a sign that read:

“Not everything that counts can be counted, and not everything that can be counted counts.”

We want to ensure that everything in Scotland's schools that is counted does count, and that what cannot readily be counted nevertheless counts in other ways, so that every child can be supported to reach their full potential. I am sure that the votes after the debate will show that we all share that goal.

I move,

That the Parliament recognises the importance of effective assessment in schools as a means of improving learning and achievement and supports the Executive's

plans to create a coherent system of assessment for Scotland; further recognises that the best way to achieve this is by (a) ensuring that the monitoring and reporting of pupils' progress is done in a consistent way throughout the school years; (b) supporting teachers to make sound judgements about pupils' learning and parents to be involved with their children's development; (c) improving national monitoring of achievement in key areas, and (d) bringing together diverse approaches to record-keeping and reporting in a single, integrated framework, and supports the Executive's plans to involve stakeholders in carrying forward these proposals and to introduce a simpler, more streamlined approach which is effective and easier for teachers, parents and pupils to understand.

15:44

**Michael Russell (South of Scotland) (SNP):**

The motion is comparatively unobjectionable. I say "comparatively" because it contains one thing that my party will have to consider before we decide whether we can support it.

What we heard from the minister was far from unobjectionable, however. It was a typical, Jack McConnell, new Labour, managerial, spun speech. When challenged on the new announcements that he was making, he claimed that they were not new announcements but reannouncements. We are very familiar with reannouncements from Labour ministers, but either these are new announcements or they are not. If they are new announcements, notice should have been given of them; if they are reannouncements, the minister is conning the Parliament and the people of Scotland.

This all came together with an action group. Surprise, surprise—another action group, another task force. The only surprise in the minister's speech was a quote from Einstein—that was certainly unexpected. However, as the Executive is doing the opposite of what the quote calls for, it just proves that Einstein and Jack McConnell are not like minds.

Undoubtedly, there is a need to assess educational achievement or attainment. Indeed, the motion seems to regard assessment as a means of improving by monitoring. No one would take exception to that. However, there is the pertinent question of how much assessment is required and whether it is necessary to take the watch to pieces all the time just to find out whether it is working properly.

My objection for a long time has been that the burden of assessment has been growing and growing. The evidence for that arose during the inquiry into the Scottish Qualifications Authority. Mr Jenkins is wise in education matters and drew our attention to the difficulty. It was obvious that in the higher still programme, for example, the level of assessment completely overwhelmed the purposes of the courses. The real question about

assessment is what level it should be.

I regret that the Executive is not going to produce the long-promised green paper on education. That paper would have asked some of the important questions, such as what an assessment is, how it should be levied and how much we require. As that is not happening, the debate is being closed down. We may have an action group, but action groups come and go. We do not have a proper debate about the level of assessment.

The motion worries me—I am always nervous of things that Mr McConnell stands behind—because, on the surface, like Mr McConnell, it appears eminently reasonable, but it might have hidden elements that reveal it to be a Trojan horse. Perhaps that hidden element lies in the third bullet point of the first published version of the motion. It may be—I asked the question in an intervention and I regret that Mr McConnell would not give a straight answer—the introduction of national primary testing in a form that Scotland has already rejected twice.

I see that Mr McConnell is shaking his head. If he is prepared to make that absolute commitment as I asked him to earlier, I would be a much happier man.

**Mr McConnell** *indicated disagreement.*

**Michael Russell:** Mr McConnell chooses not to stand, so I remain concerned that that is the problem that we face.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** Will the member give way?

**Michael Russell:** Does Brian Monteith have the answer? How surprising.

**Mr Monteith:** I have a question. Can the member tell us when a test is national and when it is not?

**Michael Russell:** I have to say that Mr Monteith and Einstein are also not like minds. If Mr Monteith does not recognise what national primary testing means, or why there were objections to it when it was proposed by his more liberal friend Mr Forsyth, I am not going to enlighten him. I want a system of education that our young people not only benefit from but enjoy. I want a system in which the pressure is not so great that it crushes the enjoyment from the process.

Listening to young people and their parents in Hamilton during the SQA inquiry, I was struck—as, I think, was Cathy Peattie—by the young people's suffering at the pressure that they felt, largely because of the level of assessment that they had to go through.

We need to debate the level of assessment, starting from the simple premise that it should not

increase. It should be reduced and we should make an effort to allow people to enjoy education more. As our concise amendment suggests, we should recognise that

“the core activities of teaching and learning remain the priorities for our education system.”

In recent years, there has been a growing tendency—pushed initially by the inspectorate and pursued by all manner of education administrators—to think that the purpose of education was assessment. There was a belief that the whole purpose of educating young people was to allow them to be checked to see how far they had got. That is not the purpose of education. That is why we need a green paper such as the one that the minister is not bringing forward. We need to debate the purpose of education, and we need to decide the purpose of education for Scotland in the 21<sup>st</sup> century. However, I am absolutely certain that the purpose of education is not assessment.

Accordingly, the motion as amended would be acceptable to me, because it would mean that we were saying, “All right, there has to be assessment in schools, and I will give the minister the benefit of the doubt on national primary testing.” However, the motion contains a lot of meaningless verbiage, such as the endless references to stakeholders. There are so many people holding stakes in Scotland that I am surprised that we can get into it.

The reality is—[*Interruption.*] Mr Frank McAveety has made some sort of witty remark, but I am afraid that the chamber missed it. The reality is that we must focus on learning and teaching as the core activities of education. If, when he sums up, the Deputy Minister for Education, Europe and External Affairs accepts the amendment in my name, the SNP will support the motion. I look forward to hearing what the Tory amendment means. I warn Mr Brian Monteith that, at the first sign of his usual divisive approach to education, I will be happy to confirm that we will not touch it with a bargepole.

I move amendment S1M-2236.1, to insert at end:

“, whilst ensuring that the core activities of teaching and learning remain the priorities for our education system.”

15:51

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** Forgive me if I believe that Jack McConnell, the Minister for Education, Europe and External Affairs, must every day feel like Phil Connors, Bill Murray’s character in the movie “Groundhog Day”. A morning does not seem to pass without Jack McConnell waking up to announce that he has adopted yet another commonsense Tory education policy. The radio

alarm goes and he appears on “Good Morning Scotland” encouraging uniforms in schools. The next day he is removing the targets for school exclusions. The next day he is devolving greater power to schools in choosing the curriculum. All of those policies are welcome. Most surprising of all, there was the introduction of a single coherent system of evaluation—what we all know as testing—which undoubtedly, whatever Mike Russell says, will be on a national basis.

Of course, I welcome the minister’s announcement today and, in attempting to amend his motion, I give notice that we support the motion in full. Assessment recognises that pupils benefit from discovering their own strengths and weaknesses, it benefits teachers by revealing what further work is required, and it helps parents by informing them of their children’s progress and whether a greater challenge or additional help is needed.

There can be, and must be, debate about the nature of tests and the extent to which assessment can be simplified. That would be welcomed by the Conservative party and, I am sure, by all parties. However, let us not forget that today’s announcement represents a significant and humiliating climbdown by the Labour party. That must make many of its members uncomfortable, not least those members—many of whom are not in the chamber—who sit in the Scottish Parliament. Who voted for a motion to repeal testing in 1991? Why, John Home Robertson, John McAllion, Henry McLeish, Mike Watson and Jim Wallace of the Liberal Democrats.

“Seldom can a measure have been more subject to wilful misrepresentation and misguided hostility than the proposal for national testing in our schools. I am sure that the House will agree that some testing is beneficial for individual pupils and their parents and for those concerned with judging the effectiveness of schools. Children’s strengths and weaknesses need to be diagnosed and assessed so that appropriate steps can be taken. Parents want to know how their children are developing against a broadly agreed, objective yardstick. A measure of the progress that a school is making with pupils should form an important part of any system of assessing a school’s performance.”—[*Official Report, House of Commons, 15 April 1991; Vol 189, c 119.*]

Those are fine words, which surely this chamber must accept. They were the words of Michael Forsyth in 1991.

**Michael Russell:** Michael Forsyth?

**Mr Monteith:** Michael Forsyth, that liberal whom Mike Russell knows so well.

What do parents say about testing? I quote one parent, who put the matter succinctly:

“It is all very well to say”—

of his son—that he is

“competing against himself. Great. But he is not competing against himself when it comes to getting a job and then has got to wake up to the rude discovery that he is only pretty good in his own terms but not by anyone else’s standards.”

In 1989, Michael Forsyth said:

“The results from the assessment of achievement programme in Scotland show clearly that there has been a decline in performance in mathematics and English over the past five years. When I read data that show that in primary 7, a total of 22 per cent. of children cannot divide 630 by 10, I am convinced that our proposals to bring testing into the curriculum and to introduce testing have the support of parents, if not of Opposition Members.” — [*Official Report, House of Commons*, 1 February 1989; Vol 146, c 294.]

Yet, earlier this year, Wendy Alexander told us of the appalling number of young adults who today suffer literacy and numeracy difficulties. How many of those young people would be better off today had the testing to identify those difficulties been available at an earlier age? Who were the politicians who deprived them of those tests for purely ideological reasons? The reasons were ideological because those politicians, in their speeches, explained their support for assessment but would not support what was being proposed.

Fred Forrester, who until two years ago was the depute general secretary of the Educational Institute of Scotland, said only a few weeks ago:

“The compromise we agreed was unsustainable. I am now absolutely convinced that we must create some reliable and above all objective way of measuring pupils’ attainment at ages 5 to 14. There is nothing authoritative to indicate how children are doing until they are 16. That seems to me extraordinary. There should be an objective way of measuring children’s progress.”

Mr Forrester added:

“I believe now that if we don’t aspire, we don’t achieve. To aspire, we need to be competitive.”

I remind members—

**Michael Russell:** Will the member give way?

**Mr Monteith:** Certainly.

**Michael Russell:** I am surprised that the Tory education spokesperson knows so little about what happens in classrooms. There is regular testing in primary classrooms. That testing is made both subjective by the teacher and objective by the testing evidence. That happens, but if Mr Monteith and Fred Forrester do not think that it happens, they should go to a primary classroom and see it happen.

**Mr Monteith:** I have seen it happen. I put my children through state education; I saw their report cards. I knew which tests they sat and how those tests were administered. Clearly, the testing needs to be reviewed, as Fred Forrester said, because we do not have a systematic programme in which it is possible to measure any one child against

another across the nation.

**Michael Russell:** I want to follow up on Mr Monteith’s experience. In what exact ways was the information that was provided to him, as a parent, inadequate? What did it not tell him and what could he not compare?

**Mr Monteith:** The information that I was not given was the results of the tests. That is the failing of the system that I have witnessed. Information is not available to parents in the manner that I think it should be.

I must move on, but I have said that I believe there is a need for proper debate about the nature of the tests. I would happily enter into such a debate.

Where does the minister’s statement leave the SNP? The SNP spokesperson, Mr Russell, clearly took exception to me labelling the SNP as “educational dinosaurs” in *The Times Educational Supplement*; I see that from his reply in the letters column.

**Michael Russell:** I always respond.

**Mr Monteith:** Indeed.

If we regard the SNP as the dinosaur of the education movement, that is because its much-vaunted policies—even reducing primary class sizes—require the removal of parental choice. What we see, and welcome, from the minister is the introduction of greater parental choice and information.

I referred earlier to “Groundhog Day”, and I will continue the analogy. Phil Connors escaped from groundhog day by changing every aspect of his day, so that he became a selfless individual. The minister, to escape his ideological straitjacket—his surreal world—must adopt fully our policies, leave St Mary’s Episcopal Primary School in Dunblane alone, and selflessly devolve to Scottish teachers and parents. Only then will Jack McConnell escape from the world where big government knows best.

I move amendment S1M-2236.2, to insert at end:

“and considers that the Executive should strongly encourage all publicly funded schools to participate in the new assessment system.”

15:59

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** The Liberal Democrats are happy to support the motion and, indeed, to support Michael Russell’s amendment, which makes an important point about the need to ensure that assessment must not become an end in itself and must not be allowed to get in the way of real teaching and learning. Proper assessment



instruments are an integral part of the teaching and learning process.

I am no great fan of the national tests that we have experienced in recent years. Those tests exist, as Michael Russell said. The terms of the motion make a logical and clear case and outline the rationale for having a coherent system of assessment that genuinely informs parents, teachers and pupils about performance and progress, and informs, in a wider sense, the teaching and learning programme that will be followed by the pupil when assessment results are evaluated.

I welcome particularly the commitment in the final part of the Executive's motion, which promises to introduce a

"simpler, more streamlined approach which is effective and easier for teachers, parents and pupils to understand."

It would be a worthwhile achievement if that could be managed throughout the school years, from five to 14 and on to the complexities of higher still.

I warn the minister that that will not be easy. The present system is incoherent and unclear. For example, from the ages of five to 14, the classifications start with A at the bottom and go to F at the top. We then jump to standard grade, for which 7 is the bottom grade and 1 is the top. However, intermediate 1 is lower than intermediate 2. At higher, A is a good pass and C is a poor pass. I have probably made mistakes in describing the system, because it is utterly confusing, incoherent and unclear.

The system is also unreliable. The national tests are held in schools and do not make it easy to obtain coherent and reliable information to be transferred at the transition points between primary and secondary education. The tests are interesting, but the results are not consistent or reliable, for various reasons. The tests have a subjective element and can be delivered in different ways.

The tests are impractical. If I had an English class, I would have to give it four tests—two on reading and two on writing. The tests take 50 minutes, but the time that I have to teach the kids is 40 minutes, except when the class has a double period, which lasts 80 minutes. After 50 minutes of a double period, I would have only half an hour in which to teach. I would be supposed to deal with only half a dozen kids at a time—those who were ready to take the test—and the rest of the kids would be left alone. The system is impractical. Administering four tests would take four weeks of the best teaching time that I had, because there would be no alternative, unless I bent the rules, which I would. The system gets in the way of teaching and learning.

The recording system is complex, the transfer of information is difficult and the quality of information varies. The consultation process that Jack McConnell talks about has been important, and will be important as we proceed with the programme that he outlined today. I hope and believe that the minister will take into account teachers' professionalism and that he will take parents and teachers along with him.

Apart from the problems with the system, assessment itself requires consideration. Measuring achievement is not the only aim. There is a danger of allowing ourselves to talk about the tests as though they are for achievement only, as Brian Monteith did. We must not get into that mindset. Different kinds of assessment exist—diagnostic assessment, formative assessment, which tries to improve skills through assessment, and summative assessment, which is a test of achievement. At every stage, we must be clear about what we are assessing, the purpose of the assessment and what we will do with its results. We must ensure that our assessment instruments are valid, that they measure what we think that they measure and that they are reliable, so that they produce consistent results when applied at different times and in different places.

The minister will know that I do not like league tables that are based on exam performance, because people take bigger messages from the results than the results can legitimately carry. People make wholesale judgments about schools and pupils on incomplete information and on a misunderstanding of what an assessment has done and its limits.

We need the information that the assessment system gives us. We must be sure of the validity of the information that the assessment instruments provide. We must not distort the information that is provided and we must use the information positively. I await the details of the reforms that the minister proposes—I am not signing a blank cheque. If the minister can deliver the reforms that are outlined in the motion—including what is said in the final part of the motion—and what is said in Michael Russell's amendment, we will have done Scottish education a massive and important service.

16:04

**Cathy Peattie (Falkirk East) (Lab):** I welcome the minister's statement. The system is failing some children because we are failing to pick up the signs early enough. That means that special educational needs are not identified and addressed quickly. Different systems of assessment are in place and they do not work well together. Change is needed, and the proposals recognise that. They seek to modernise the

assessment process to ensure that it is a coherent part of our overall strategy.

Assessment should not be put in place simply for its own sake. It should benefit children and assist those with potential difficulties. Assessment should maximise our children's academic, social and vocational attainment. It must take account of the child's starting point and be sensitive to their social background, school environment and other relevant factors.

Assessment is not a replacement for other means of determining a child's progress in education. The proposals seek to bring together the diversity of existing systems. They seek to simplify the assessment system so as to produce a balanced approach—one that takes account of the views of parents, children and teachers. Assessment helps us to get a better picture. It will continue to do so.

How education is used depends on our philosophy of education, which is important. We want to use a child-centred approach to deliver a streamlined, comprehensive system that supports the child to make a seamless progression through his or her school years.

Pupil involvement is needed in the process of monitoring learning and of setting personal targets. That is central to the child's progress in the education system. Research has confirmed the value of involving pupils in their own development. Pupils learn better and faster when they are involved meaningfully in the process of assessment and positive feedback.

I believe strongly in the idea of personal learning plans. The Executive's proposal to introduce such plans for all children by 2003 should go a long way to addressing an existing educational deficit. By assessing progress, we can identify how best to support and structure a child's learning.

Academic performance is not the only measure of a child's ability. The new qualifications are designed to encourage and reward the five core skills of communication, numeracy, technology, problem solving and working with others. However, as Ian Jenkins said, assessment should not be an undue burden in the classroom. It should assist and not get in the way of the learning plan.

I welcome the minister's commitment to simplifying assessment and reducing the work load of teachers and lecturers. That will allow teachers to teach without a constant eye on the next assessment. Children, teachers and parents will welcome the proposals.

16:08

**Colin Campbell (West of Scotland) (SNP):**

When I trained as a teacher, there was no preparation for assessment. We took advice instead from the principal teacher and used the common sense that we gained from previous experiences. We got on with the job. It was all very homespun but, after a fashion, it worked. I recall a report that a primary 7 teacher made on one of the pupils at my school, which noted that the pupil "Has difficulty with reading and writing. Misbehaves all the time. Unfortunately attends every day."

We are not looking for that kind of assessment, but I am sure that Jack McConnell recognises our need for a form of assessment that provides continuity. In a sense, assessment has become discontinuous.

Jack McConnell spoke of the administrative burden on teachers. Although I recognise that that is the case, I will focus on the emotional burden that is produced by the business of assessment. That burden is caused by the responsibilities of being a teacher, the career structure and the anxiety about how the head teacher feels about an assessment. What if it is not as successful as it was in the previous year? All of those stresses produce anxiety.

As I have been out of the game for some time, I consulted a few experienced secondary teachers to give me a handle on the issue. They talked of how grade analysis produces an enormous pressure to perform and to produce the highest possible grades for all pupils. That is perfectly worthy at the level of the individual pupil, but when it becomes the main driving force behind how a head teacher, or the public, perceives a school, it creates pressure on staff.

What I am about to say probably refers to only a few. Teachers are so conscious of the pressure on them that some teachers—and parents—go overboard in their efforts to ensure that pupils do well. For instance, a pupil's work might suddenly improve, obviously as a result of outside help. A teacher might refuse to sign a guarantee that the work was that of the pupil. Sometimes that guarantee is signed by somebody further up the system. Pupils are seldom prevented from sitting exams. Some teachers spend inordinately long periods perfecting classwork for external assessment. Folios are sent back to pupils with written instructions on them about what should be added to improve the pupil's chances. There are instances of whole classes with similar phraseology in essays—hardly likely to be caused by collective psychic skills. In other words, the teachers are passing the exams for the pupils.

That is the result of huge anxiety. The pressure

on staff to compensate for or counter a pupil's lack of sense of urgency or diligence is immense. At standard grade there is pressure to help pupils to obtain a 2 instead of a 3 so that they can take the higher the following year and help to create good statistics for the school.

I understand why those things happen and the anxieties that are involved. Jack McConnell has talked about recognising the professionalism of teachers. In that context, where teachers feel driven to do that kind of thing, it is important that Jack McConnell, and the system at large, reinforce the professionalism of teachers and enable teachers to say to people, "This is where your child is at. We have done all we can do and we can go no further, short of manipulating the facts."

The key to good education is to interest pupils by entertaining, challenging, matching demands to capabilities, confidence building, exciting, involving and informing. Too much assessment stultifies those necessary aspects of education. Any measure that allows more and better teaching is to be welcomed. To put it in the words of a teacher to whom I spoke a couple of nights ago, "It is better to teach than to assess."

16:12

**Mr Murray Tosh (South of Scotland) (Con):**

How it all comes flooding back as we listen to tales from former teachers around the chamber. We have heard a great deal of common sense, which has been drawn from members' practical experiences.

My experience of primary education is a bit further back than Mr Russell's, but as a parent and teacher I was always conscious that the parent who was not a teacher sometimes struggled to make sense of what was reported. That was brought home forcefully to me by a primary school assessment for my older son. It listed a series of categories of attainment and had a set of boxes: above average, average and below average. The report consisted of a series of ticks and a signature. From that, the parent could tell whether their child was average—but in relation to what? That class? That school? To what standard? What does that tell the parent? Is the child succeeding? Is he flourishing? Is he making good progress? It was impossible to say.

That was many years ago, and much good practice has evolved since then. Much has changed under the five-to-14 curriculum, but the essence of the minister's point this afternoon remains valid. However they are graded and whatever labels are attached to them, an A grade here and an A grade there can mean very different things. In my time as a parent and a teacher it was clear that there was no objective standard of how

a child was performing academically until preliminary examination time in fourth year, when there would be real exams, which were marked to real standards and which would be broadly comparable with the experience in other schools. Those would be a reasonable indicator of likely performance in O-grade and then standard grade exams.

That was wrong. It was a system in which teachers assessed all the time, for their own purposes and their own diagnoses. They knew how pupils were doing but parents did not. Parents did not have confidence and certainty. That is why all the reporting and information that can be given is so important. It is why parents must know what the report actually means. They do not want to be told that their child is above average. If the child is in a school that the parent knows performs below average—for whatever reasons, such as the ones Mr Canavan offered or those that are built into the curriculum or the teaching practices—it means nothing to be told that a child is above average. They need to know what that means in relation to a definable standard.

The hostility to national testing that existed previously has, to some degree, been worn away by experience although, as Mr Jenkins pointed out, the bureaucracy and artificiality of much of the testing has been resisted as a discontinuity in good practice. That is why what the minister said today about offering schools item banks for assessment and allowing them to select and draw down examples for their own use is encouraging. If assessment is properly built in, it will meet the needs of the school, the teachers, the pupils and the parents, and there will be a virtuous circle. If we can attain that, there is no reason why we should not progress consensually.

Points about the publication of exam statistics have arisen during the debate. I am acutely aware of those points, because I taught latterly in what could be called a middle-class magnet school. Part of the magnetic attraction was the publication in the local papers of exam statistics, which encouraged many parents in the area to believe that, if only they removed their child from one school and sent him or her to another, a golden academic career would suddenly lie before them. As members will appreciate only too well, that simply was not and could not be the case.

However, I warn against the temptation to withdraw information. Information is given and it means something. Sophisticated analyses are made of comparative exam results. Education authorities and schools use information for their own diagnostic purposes. The answer is not to withdraw information from parents and to deny them basic facts, but to educate parents better in understanding what the statistics mean and to

make the diagnostic possibilities of the information more widely available. That will allow people to make better choices of schools and of subjects, and to form a better understanding of how children and schools are performing.

This afternoon's debate has been encouraging. I applaud the Executive's efforts and I hope that we are now able to build in a more effective system of assessment and reporting—we must never forget the importance of reporting.

16:17

**Stewart Stevenson (Banff and Buchan) (SNP):** In his speech, I heard Jack McConnell say "count" at least six times in the last three sentences, so he is clearly counting on something. This is an education debate, and it is appropriate that we go away this afternoon having learned something, so I want to tell members that  $2^{40}$  is 1,099,511,627,776. Members can check that if they wish. That number is also  $1,048,576^2$  and  $1,048,576$  is in turn  $1,024^2$ . That is very interesting, but is the square root of next to nothing of use to anybody, except as a party piece?

**Mr Frank McAveety (Glasgow Shettleston) (Lab):** That bad!

**Stewart Stevenson:** At least I can count on Mr McAveety's support and at least my party piece is factual and correct. Much of the measurement that we have been talking about has, to be frank, been of no use. Brian Monteith brought the spectre of Michael Forsyth to the party so, if he does not mind, I shall read a quotation about Michael Forsyth from *The Scotsman* of 5 June 1996. This is what George Robertson, who really knew how to do arithmetic and went to another place for much more money, had to say about Michael Forsyth. He said:

"You are going to get another bloody nose. You came back with the same old idea and you are going to get the same message from the Scottish people: 'We don't want these failed ideas'."

What was George talking about? He was talking about plans for testing in primary schools. We continue to feel that that is not going to be helpful.

**Dr Sylvia Jackson (Stirling) (Lab):** Will Stewart Stevenson give exact details about what he understands was meant by that testing in private schools, which the Labour party was so against?

**Stewart Stevenson:** Testing is testing. I am a little uncertain about exactly what Sylvia Jackson's question is. I was talking about primary schools and the introduction of testing in S1 and S2. That is what was proposed in 1996 and that is what George Robertson was commenting on at the time.

I have undertaken a little bit of teaching over the past year, which I have thoroughly enjoyed. However, it was in a university environment. I wondered why I was enjoying it so much, so I talked to some people who teach in the secondary school system. I discovered that their time is overwhelmed by administration, much of which concerns testing. They find much of it confusing, and the speeches of members who were directly involved in secondary school teaching have been interesting in that regard.

National testing carries a risk in any event. I cite another educational metaphor. The first law of genetics is that the more highly optimised a species is for an environment, the more adversely it is affected by another environment. A national scheme, rather than one that is based on the skills and talents of teachers in their own areas, taking into account their own needs, is liable to produce unsatisfactory results.

My final point for Jack McConnell is on information technology. I spent 30 years working in information technology, so the minister might be surprised when I say that we should be cautious about automating processes by using IT in schools. However, I urge him to consider piloting very carefully any new systems that are introduced, because ill thought out, underdeveloped or under-researched IT systems can increase the work load rather than save effort.

16:21

**Bill Butler (Glasgow Anniesland) (Lab):** I welcome this opportunity to debate the subject of effective assessment in schools. What the minister has outlined today represents a sensible, balanced approach that recognises the importance of having a reliable system of assessment and testing, not for its own sake but as a means of identifying when more support is needed to progress every child's learning. That is essential.

The SNP's amendment insists that

"teaching and learning remain the priorities for our education system."

I doubt that many members would disagree with that proposition, although I believe that the SNP's amendment is implicit in the motion. Nevertheless, I welcome the Scottish National Party's consensual approach on the subject.

I cannot, however, commend the approach of the Tory amendment. Its terminology still smacks of the coercive, inflexible approach of what I hope was the last Tory Administration in Scotland. It attempts to conceal that party's predisposition to centralised diktat, but it fails. Mr Monteith—who has now left the chamber—did not hide his Jurassic traits. He made an ideological claim that the minister's plans equate to the resurrection of

Michael Forsyth's attempts to introduce national tests common to all schools for each age group. Those claims are completely false. The Labour-led Executive's plans are designed to encourage learning and to support all children in making the most of their gifts, both personal and intellectual.

**Mr Tosh:** I am a bit puzzled. As we do not have a national curriculum and the Executive does not want to have the power to direct schools to the extent that Mr Butler is assuming, what is wrong with encouraging schools to participate in the new assessment system?

**Bill Butler:** There is nothing wrong with encouragement. I always encouraged my pupils to do their best. I am talking about the Tory party's failed policy of adopting that tactic or strategy. I am disappointed that Mr Tosh asked that question, because he talked much good sense—in contrast to his front-bench colleague, Mr Monteith.

I welcome the recognition of the need to simplify the process of data transmission between schools, pupils and parents. That is fitting, effective and right. I also welcome the intention to consult on longer-term issues connected to internal and external assessment.

I am reasonably content with the constructive, flexible approach regarding five-to-14 assessment. As a former teacher, I am especially pleased that the Scottish Executive believes that effective testing for the five-to-14 syllabus must continue to be based on the professional judgment of teachers. I accept that there is a need for the provision of more sharply focused advice, support and materials. Such local flexibility is vital as it allows the teaching professional to exercise discretion and informed judgment. That judgment will inevitably be a bit subjective. I do not believe that there can ever be an objective test that will tell us about each and every pupil—that is a phantasm and a nonsense.

Ian Jenkins made a good point when he called for a more coherent and articulated system of assessment. We are talking about assessment of all types, which is one of the many things that Mr Monteith and the Tory party do not understand.

Real education is not about the destructive labelling of pupils. It is about the constructive development of each child's personality and intellect, which is a laudable objective. I believe it to be the objective of all progressives in the Scottish Parliament.

16:26

**Richard Lochhead (North-East Scotland) (SNP):** I will speak only for a couple of minutes, because much of what I was going to say has been said by others.

I recommend that the Minister for Education, Europe and External Affairs read "Zen and the Art of Motorcycle Maintenance", by an author and thinker called Robert Pirsig. I read it as a teenager and believe that it is a great book. It is about a chap who takes his son across America on a motorcycle and philosophises about all things in life, including education and the role of exams and assessment. His conclusion is that exams are not particularly good for education because pupils take their eye off the ball and do not spend enough time trying to acquire an all-round education. I am not suggesting for a second that we should scrap tests and assessment, but the philosophy is interesting. I will send the minister a copy of the book.

The SNP takes the right approach by giving the motion a cautious welcome. However, I must point out that, because my partner who is a teacher brings home marking every night from school, I am aware that there is already continuous assessment in our schools, to an extent. We must not become obsessed with tests because, at the end of the day, the quality of education is what is important. At the moment, some teachers are working with rationed jotters and pens in schools that are falling apart. In such circumstances, it can be difficult to deliver quality education. That must be our No 1 priority; we should not become diverted by assessments and exams.

In our education system, the lack of specialist teachers as a result of cuts is causing a tremendous problem. Art, music, drama and other such subjects that allow pupils to develop their confidence and express themselves have been cut. Quality of education should be a priority for the minister, but that is being hampered by some of the policies that are being pursued.

Primary education is the most important stage in a child's development. We must ensure that children do not find themselves getting put down again and again if they get bad results during continuous assessment.

I ask members to remember that assessments and tests are part of an overall package and should not be considered to be the top priority.

16:29

**Mr Frank McAveety (Glasgow Shettleston) (Lab):** During the debate, I was reminded of a book that once fell on me when I was cleaning out a school book cupboard. It was a grammar primer from 1820, and the preface said:

"Standards of grammar are not as good today as they used to be."

That reveals the fact that every generation develops significant myths about education.

It strikes me that, unless we understand why we are where we are at the moment in the modern debate about assessment, we cannot progress. That is why I welcome the minister's commitment to a flexible approach to assessment. It punctures dramatically the new mythical history that Brian Monteith and his ilk peddle, which tries to claim that the announcement is a repetition of former Conservative policy. There are substantial distinctions between what Jack McConnell and the Executive have announced and what was going to be imposed in the late 1980s and early 1990s, which was resisted by all sectors. Those proposals were resisted not only by teachers, who are protective of their professional understanding of assessment, but by parents and young people.

**Murdo Fraser (Mid Scotland and Fife) (Con)**  
rose—

**Mr McAveety:** I will conclude my point and then Murdo Fraser can perhaps make an intervention as a new peddler of the Tory myth.

It strikes me that we use assessment as a tool for the improvement of the individual. The problem with the Tory approach—perhaps Murdo Fraser will enlighten us on this point when he makes his intervention—is that it is an enforced centralised view of assessment.

I now welcome a contribution from the Tory front-bench spokesman elect on education.

**Murdo Fraser:** Does the member accept that the opposition to Michael Forsyth's testing proposals in the early 1990s was a purely political campaign? It had nothing to do with what was best for education. It was a party-political Opposition campaign because the proposals were Conservative proposals.

**Mr McAveety:** The problem with myth is that we start to believe it. The proposals were not resisted only by politicians. If the opposition had come from the mighty sword of George Robertson, the question would be understandable. The reality is that the proposals were resisted because the wider Scottish community did not consider that they were relevant to the community's experience of Scottish education and the way in which we wished to develop it.

I digress from some of the key points that I was going to make, but I thank Murdo Fraser for giving me the opportunity to get back to some old language.

The proposals were tied in with the opting-out of schools and the issue of making schools competitive in the educational framework. The impact of those together is the reason that the proposals were resisted. Teachers and schools have been undertaking assessment for a considerable time anyway. The opposition to the

proposals was based on developing the opportunity to address the needs of the individual, rather than the centralised view that the Conservatives peddled.

**Michael Russell:** I welcome the fact that Mr McAveety has drawn attention to the word "competitive" and I remind members that Mr Monteith used that word four or five times in his speech. I am sure that Mr McAveety noticed that. Does he accept, as I do, that competition might be part of education, but it is not the reason for education?

**Mr McAveety:** I concede that point because I have a liberal view of education, similar to Michael Russell's. [*Interruption.*] That is "liberal" with a small L. I would hate to think that it was a capital L.

The other Tory myth that Brian Monteith has peddled is that ideas such as discipline and school uniforms are Tory philosophies. If we look through the pre-war records of school boards, we see that the commitment from trade unionists, co-operatives and socialists was always to ensure that such ideas were features of schools. The other commitment, which Tories tended to ignore when they were voted on to school boards, was to give youngsters the opportunity of access to income to get the uniform that was essential for their schools.

I will concentrate on two crucial points that the minister made. One is the recognition that, as well as the core issues of academic performance, about which people care, understanding how to work with others is important. On any understanding, in the modern economy, most employers recognise that that skill is as important to their assessment of the suitability of an individual as are core matters such as numeracy and literacy.

The other point is about how we use assessment effectively. Assessment is not the driving force of our agenda, but it is one of the vehicles that we can use to arrive at the destination of improving the standards of education. For that, it should be welcomed.

16:34

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Towards the latter stages of the open part of the debate, I was beginning to wonder which planet I was on. We heard about Frank McAveety's accident with the book. I am glad that he is recovering: I wish him good luck as he continues his recovery.

We have also heard about "Zen and the Art of Motorcycle Maintenance" which I would not recommend to members. It is one of the dullest

books on the planet or, indeed, in the universe.

I had to pinch myself slightly when my good friend Mr Stewart Stevenson, who is not in the chamber, went on about an optimised species. I am not entirely sure whether that is correct. He lost my attention after the first four words. He then talked about 2<sup>40</sup>. If that is his party piece, I am not falling over myself to go to his parties because they do not sound like a lot of fun.

My good friend Mr Monteith served with me on the Education, Culture and Sport Committee for long enough. He used two words that are equivalent to breaking wind in the manse front room—"Michael" and "Forsyth"—which is indicative of where the Iain Duncan Smith Conservatives find themselves today. We have an Iain Duncan Smith man in Mr Monteith and in Murdo Fraser.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** And Alex Johnstone.

**Mr Stone:** Alex Johnstone is more of the country party. He is an Alec Douglas-Home type of Tory—patrician and tweedified.

The Iain Duncan Smith style of navel-gazing and harking back to the prince across the water—Michael Forsyth—is typical of the mess in which the Tories now find themselves. Consider some of the people they have put in the shadow Cabinet for goodness' sake—Bill Cash, the shadow Attorney-General. I was at the University of St Andrews with a nutter called Des Swayne. He was on the students representative council with me. He is now a shadow defence minister. If the Tories are talking about dinosaurs and the Jurassic period, I will get all scientific and talk about the Cambrian or pre-Cambrian period—we are back in the era of the primeval mollusc.

I welcome the minister's comments about the teaching profession. He is talking about taking the teachers with us. Assessment is carried out all the time in schools—as the minister knows, having taught himself. It is a kind of informal assessment and it is intrinsic to how the profession goes about its business.

Following SQA and higher still, the teaching profession has had a rough time. Teachers have gone through a lot in the past year or so. It was nothing like as bad as when they were being Forsythed by Mr Forsyth and company. The key difference between then and now is that the teaching profession knew that Forsyth and the Tories were out to apportion blame.

We will deliver by working with the teaching profession, by taking them with us, by consulting them in action groups and by involving them as stakeholders. The minister acknowledges that we need to consult the teaching profession, taking on

board their views and then progressing together. I underpin that by saying that what has been done so far is good. The minister was in the teaching profession himself and what he has done has been well received in classrooms—I can tell him that. If we are to pull off what the minister is advocating, a belt-and-braces approach is needed and we can then take the profession with us. I am sure that we can do it.

16:37

**Karen Gillon (Clydesdale) (Lab):** I am happy to contribute to the debate.

I welcome the minister's statement. It is vital that we recognise and reaffirm from the outset that the child or young person is the most important person in the whole process. Assessment must be a tool to ensure that every child reaches their full potential in education. The educational environment in which children find themselves must enhance their personal, social and academic development. It must also include a range of measures to assess the whole person, not just their academic attainment.

We should recognise that there is far too much assessment. We duplicate much of what is done and we do not do some of what should be done. Now we must seek to standardise what is in place and ensure that the assessment that takes place responds to the needs of each child. I therefore welcome the Executive's commitment to introducing personal learning plans. They are the means by which each child can benefit to the full from the education that is open to them.

The other important aspect of what the minister said is the role of parents in their child's education and the role that assessment can play in ensuring that parents are involved in it. We must make assessment relevant to parents and enable them to be part of the educational process. Previously, I was a youth and community worker. In many of the socially excluded communities in which I worked, far too often parents did not feel part of the education system or of their child's learning because they had been educationally disfranchised at an early stage and had subsequently found it difficult to engage with their child's learning. We need to find ways of engaging those parents.

I will reflect on some of what Conservative members have said. Their contribution—it was sensible for once—was encouraging. It would be nice to have Murray Tosh as a member of the Education, Culture and Sport Committee. I assume that the Brian Monteith who spoke in the debate is the same Brian Monteith who is a member of that committee. It is nice to be able to put a face to a name.

I also acknowledge Murdo Fraser's intervention. I think that we will be seeing more of him in the Education, Culture and Sport Committee than we saw of Brian Monteith. Murdo Fraser is still trying to equate what the Minister for Education, Europe and External Affairs is proposing now with what was proposed in the past by that good old friend of Scotland, Michael Scissorhands, who talked about introducing national tests for five to 14-year-olds—but what he proposed was decidedly different from what is being proposed today.

Michael Forsyth proposed one national test for a child, regardless of their stage or ability and at the same time—one test for everybody. That would have been divisive and demotivating; it would simply have discouraged children from learning. Perhaps that is what the Tories are really about: ensuring that the socially disadvantaged, the poor and the working-class people of our communities cannot achieve their full educational potential and that those in the nice independent sector get the best out of Scottish education. That is not what we are about; we are about ensuring that every child in Scotland can achieve their full potential. That is why testing should be responsive to the needs of the child and should take place at the time that is relevant to their learning and to the stage that they have reached. It should not be just some punitive measure imposed by central Government diktat. Perhaps that is why Mickey Forsyth and his pals were so successful in 1987 and why Scotland delivered its verdict on the Tories then.

We are at the start of a very positive process in assessment in Scottish education. In taking the matter forward, I look forward to working with the Minister for Education, Europe and External Affairs and his deputy through the Education, Culture and Sport Committee.

16:42

**Murdo Fraser (Mid Scotland and Fife) (Con):** I have enjoyed my first debate on education in my new role as the deputy Conservative spokesman. I have particularly enjoyed it because it has proved that this party has won every argument on education over the past 10 years. We are the party that introduced testing as part of the five-to-14 curriculum and the party that encouraged parental involvement in education through the publication of more information on attainment.

Today, Jack McConnell has effectively been saying that Michael Forsyth was right. I would say to Jamie Stone—although I note that he has left the chamber—that we hark back to Michael Forsyth because we know that we won all the arguments. In our amendment, we are saying that the benefits of testing should be brought to the entire publicly funded school system.

**Mr McConnell:** Will the member accept a point of information: that on any basis of assessment, whatever we might choose, I believe that Michael Forsyth was wrong?

**Murdo Fraser:** The minister may well believe that, but his actions say something different. The Tory challenge, which changed the education consensus in Scotland that has undermined Scottish education for so long, is now almost wholly accepted. We have just a little further to go on the policy for the local management of schools. We also have high hopes for the minister's review of devolved school management—but perhaps I will not hold my breath, given his decision in relation to St Mary's Episcopal Primary School in Dunblane, which was a political decision.

Some people, no matter how much they try, cannot divorce politics from education. That is precisely what happened 10 years ago, when we tried to introduce primary school testing. Referring to what Frank McAveety said—

**Mr McAveety:** Will the member give way?

**Murdo Fraser:** Just a second. I will quote Fred Forrester, formerly of the EIS, who admitted a few weeks ago that the campaign against testing was political. He now admits that

“The opposition around the country to this plan was largely about opposition to Michael Forsyth”.

**Michael Russell:** Will the member give way?

**Murdo Fraser:** No thank you. I will carry on for the time being.

**Mr McAveety:** Will the member give way?

**Murdo Fraser:** I will give way to Mr McAveety.

**Mr McAveety:** Is Murdo Fraser saying that that protest was politically motivated by hundreds of thousands of Scots?

**Murdo Fraser:** What I am saying is that the opposition to testing was engineered by people in the educational establishment, against a Conservative minister.

**Michael Russell:** Will the member give way?

**Murdo Fraser:** No thank you; I will make some progress.

**Michael Russell:** Will the member give way?

**Murdo Fraser:** I will make some progress.

**Michael Russell:** Well that would be a change for the Tories.

**Murdo Fraser:** We will see.

The opposition that I have described was opposition for its own sake. Opposition to any change in education still exists today. It does not come from the Labour Executive, but it is



manifested in the unthinking reaction of the SNP. The SNP is a party stuck in the past. It brings to this chamber a 1970s agenda for Scottish education. It has failed to notice that parents' greatest concern in education is for output by way of standards, not for inputs such as resources or class sizes.

**Michael Russell:** Will the member give way? I can help to explain SNP policy, as he clearly does not know much about it.

**Murdo Fraser:** I will not give way. The SNP's political pitch is based on opportunistically picking up support from those who are disgruntled at new Labour's move to the centre. The SNP's policy owes more to attempts to mimic the reactionary stance of the educational establishment and the teaching unions in Scotland than to any consideration of what is best for Scotland's pupils. The debate has moved on. I am pleased that the Labour-Liberal Democrat Executive is moving in the direction of the Tories, while the SNP remains stuck in the past.

**Michael Russell** *rose*—

**Murdo Fraser:** I will not take an intervention from Mike Russell.

With verifiable, standardised national tests we can genuinely measure what works and what does not. That allows the promotion of excellence and the ending of some of the well-meaning but misguided teaching practices that can be so damaging. It does not mean uniformity, as some suggest; it is about finding what is best for each school and each pupil, based on local needs. Active use of testing, with new flexibility in the curriculum and greater diversity in provision, will meet local needs. That is precisely what the Scottish Conservatives have been promoting for a number of years. Teachers working with parents and pupils, based on realistic information, is the best way forward.

Parental expectations have been released and there can be no turning back now. I am pleased that at least some members of this Parliament and Scotland's educational establishment are beginning to catch up with us. The minister deserves praise for that. It is time that the opponents of progress in the SNP and elsewhere gave up their dogma, listened to parents and joined us in the new, coherent debate that is taking place in Scottish education.

16:47

**Irene McGugan (North-East Scotland) (SNP):** This has been an interesting debate in which there has been considerable consensus about what constitutes the main issues.

For the benefit of Murdo Fraser, I should point

out that the SNP believes that education should be an enriching experience and process for young people—not an assessment-based series of hoops for them to jump through. We welcome any moves to provide coherence and consistency that would simplify the assessment process and move the education system closer to the model that we advocate. That model acknowledges that in primary education smaller class sizes and early intervention, rather than more exams or assessments, are the keys to improving standards.

Current research shows time and again that giving children the best possible start in formal education pays enormous dividends in their levels of attainment at a later stage. Although some competition between children is a necessary part of any vibrant education system, we believe that unrestrained competition borrowed from the marketplace is destructive of the type of socially responsive system of schooling that should be precious to us all.

The core issue is defining the purpose of assessment. Nearly all members can agree that the purpose of assessment is to assist effective teaching and learning. Recently, the Scottish Parent Teacher Council was on record as stating that

“primary schools are finding standards going up by leaps and bounds as a result of early years intervention in reading and maths.”

More teaching, rather than more testing, is making the difference. That point was reinforced by Colin Campbell today.

We opposed national testing when the Tories tried to implement it and we will continue to oppose it in future, if necessary. Real education is child-centred. It involves parents and teachers working together in partnership on the task of evaluating and assisting educational progress. National testing in any form would be a crude imposition that would substitute pieces of paper for the process that I have described, and that would distort learning. All the research from south of the border shows that national primary testing leads to a narrowing of the curriculum, as teachers are forced to teach to the test rather than to educate the pupils. Ian Jenkins highlighted that in his excellent speech, which was born out of experience.

In the Netherlands, 70 per cent of primary schools have an attainment test at the end of primary school. Assessments are not mentioned before that stage. It is interesting to note that primary schools there are oriented towards the individual needs of pupils—that point was picked up across the chamber during the debate. Schools in the Netherlands also have general educational goals. Unlike subject-based attainment targets,

those goals relate to social issues and social skills. Education means much more than learning academic skills.

While research shows that basic literacy and numeracy skills are important for adulthood, it also shows the key role that is played by emotional intelligence and self-esteem in success in adult life—that echoes a point made by Frank McAveety. Assessment criteria should acknowledge such skills, because employers are placing a greater premium on teamwork, ability to ask the right questions and coping with uncertainty, for example.

We must acknowledge the continuing difficulties in assessing many aspects of a child's development, in which teachers' professional judgment has a big role to play. Attainment is also influenced by social factors, including gender, ethnicity and rural and urban settings. Such issues must also be taken into account—I think that Cathy Peattie raised that point.

The timing of assessments is important. If we are to adopt a child-centred approach, assessments should be implemented when the pupil is ready, not when it suits the teacher, the school or the local authority to implement them for the purposes of producing statistics.

I agree with effective assessment, but not with an over-emphasis on assessment that squeezes out time for teaching and learning at all stages. The Scottish Executive, with all relevant stakeholders, must ensure that the central functions of teaching and learning are the priorities for all schools in Scotland.

16:52

**The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen):** I hope that Mike Russell's feigned anger at the start of the debate owed more to whatever he had taken before First Minister's questions rather than to a genuine concern about Jack McConnell's speech.

We did not make new announcements today. Instead, we discussed the proposals that were being developed through the action group. I want to underscore an important point: we want to work with the grain on Scottish education. We want to gain the support of all stakeholders: the councils, the teachers and especially the parents and the pupils. We want to build consensus around our proposals in order to simplify and streamline the existing system and to make it clearer and more effective.

I stress that our proposals are not in any way a return to Michael Forsyth's proposal for pupils to sit the same exam in different places at the same time: national tests—the Michael Forsyth way.

I should mention that we will support both the SNP's and the Conservative party's amendments. We thank Brian Monteith for his support for our motion but perhaps I should leave matters there, because much of the rest of his speech was not guaranteed to build consensus. The big question that we asked ourselves this afternoon was why five green bottles were hanging from his desk. I regret that his contribution to the debate was not as progressive as one might have hoped, or as his colleagues suggested that it was.

**Ian Jenkins:** Will the minister take an intervention?

**Nicol Stephen:** I would be delighted to give way.

**Ian Jenkins:** The minister gave me an awfully bad turn when he said—I think by mistake—that the Executive parties are to support the Conservative amendment. The rest of his remarks indicated that he did not intend to support that amendment. I want to make that clear.

**Nicol Stephen:** My remarks on the Conservative amendment stand. The amendment seeks to roll out proposals across all schools in Scotland, and that objective is worthy of support. In the spirit of consensus, therefore, we will support the objective that I have underlined today. We will support both the SNP and the Conservative amendments. This is the new politics.

**Michael Russell:** It would be pushing the envelope of consensus very far to accept the Conservative amendment, particularly in the light of Mr Monteith's opening speech and of Murdo Fraser's summing-up. I must admit that I am overwhelmed by the minister's generosity.

**Nicol Stephen:** To be fair and frank, if we were to base our support on the contributions, we might be supporting neither Mike Russell's nor Brian Monteith's amendment.

Ian Jenkins gave a moving description of how he beat the system and of the impact that the tests that he encountered had on his teaching. He delivered from the heart. He described how F is the best and A is the worst in one set of assessments but A is best and F worst in another. Different assessments are used in different ways at different times and they are not linked together. Jack McConnell gave a list of the AAPs, progress files, records of needs, personal learning plans and transition records. Quite simply, that must be sorted out.

We have established that effective assessment is at the very heart of learning and teaching. It is not a bolt-on extra or a distraction from the business of learning, but the basis for making crucial decisions on how best to support pupils to

learn more and to learn better.

However, as Ian Jenkins and Mike Russell said, assessment is not an end in itself. Our proposals will build on familiar practice and pull separate initiatives together. The recording and reporting of assessment will be streamlined so that it is easier to understand and effective in supporting learning. By fully involving teachers in developing the new system, we aim to support them to assess effectively.

We have rejected the introduction of a new system of national tests at fixed points, which would replace the present system of testing when ready. The disadvantages of such a new system would far outweigh any perceived advantages. We have been convinced of that by the growing body of evidence from within Scotland, from within the UK and from the USA, Australia and New Zealand.

Instead, we have chosen to develop and improve the current system to make it dramatically better and simpler and easier to understand. We all agree that, for all involved, assessment should have one overriding purpose: to promote learning and thus to help to raise standards of achievement for all our children. Mike Russell is right to say that teaching and learning remain the priorities for our education system. Good assessment can inform the process.

We agree that assessment really matters for teachers, pupils, parents, head teachers, education authorities and the Scottish Executive. We all need to understand how children are getting on, so that we can act as genuine partners in children's learning. We need to be able to judge whether the programmes, courses, teaching and the support that is provided for pupils are the best possible setting for effective learning.

Our goal must be to ensure that we have in place an understandable, effective system of assessment that is clearly focused on promoting progress and learning. It needs to continue to be understandable, coherent and consistent from the start of children's education right through their school years.

The proposals that have been presented today will deliver the system that we need. Today, we have published a consultation document on whether there is a need for radical change to assessment. That will ensure that any changes are fully thought through before decisions are taken. On five to 14, we will bring together different approaches to record keeping into a single integrated framework that is straightforward and easy to understand.

The key is to bring it all together and to improve it. Too often, we do not know what we measure and we do not know why. It is time for a change to that approach. At the start of the 21<sup>st</sup> century, is it

too much to ask for a simple, sensible and clear system that teachers, parents and pupils can all understand and in which they can all become involved? That will benefit everyone in Scottish education, and that is why I emphasise to members that I commend the motion, and Mike Russell's amendment, and Brian Monteith's amendment. All should be supported by this Parliament.

**Michael Russell:** On a point of order, Presiding Officer. It goes against the grain, but my party would be prepared to support both amendments—including Brian Monteith's. Would that be procedurally possible? Both amendments insert words at the end of the motion. If the Presiding Officer can tell us how the motion will read if both amendments are accepted, we will perhaps accept it and wander away surprised at what we have done.

**The Presiding Officer:** I gave some thought to this yesterday when I selected the amendments. They are perfectly compatible and simply extend the motion. One amendment will be added to the other, if that is what the Parliament decides.

**Mr McConnell:** On a point of order, Presiding Officer.

**The Presiding Officer:** Is it on the same point, Mr McConnell?

**Mr McConnell:** Yes, it is. I want to be absolutely clear. My interpretation of amendment S1M-2236.2 is that it adds to the end of a motion a call to implement the motion. For that reason, and despite what Mr Monteith said in his speech, his amendment is perfectly acceptable.

**The Presiding Officer:** All right.

## Parliamentary Bureau Motions

17:01

**The Presiding Officer (Sir David Steel):** The next item of business is the consideration of three Parliamentary Bureau motions. I ask Euan Robson to move motion S1M-2233, on committee membership; motion S1M-2232, on approval of statutory instruments; and motion S1M-2231, on lead committees.

### *Motions moved,*

That the Parliament agrees that the following Members be appointed to Committees—

Donald Gorrie to replace Nora Radcliffe on the Justice 1 Committee;

John Farquhar Munro to replace George Lyon on the Rural Development Committee;

George Lyon to replace Tavish Scott on the Justice 2 Committee;

Nora Radcliffe to replace John Farquhar Munro on the Transport and the Environment Committee.

That the Parliament agrees that the following instruments be approved—

the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (Orkney) (No 3) (Scotland) Order 2001 (SSI 2001/255);

the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (East Coast) (Scotland) Order 2001 (SSI 2001/256);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (Scotland) Order 2001 (SSI 2001/273);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 2) (Scotland) Order 2001 (SSI 2001/281);

the Food Protection (Emergency Prohibitions) (Amnesic, Paralytic and Diarrhetic Shellfish Poisoning) (Orkney) (Scotland) Order 2001 (SSI 2001/282);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 3) (Scotland) Order 2001 (SSI 2001/284);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 4) (Scotland) Order 2001 (SSI 2001/289); and

the draft International Criminal Court (Immunities and Privileges) Order 2001.

That the Parliament agrees that the Local Government Committee is designated as Lead Committee in consideration of the Public Appointments (Parliamentary Approval) (Scotland) Bill.—[*Euan Robson.*]

## Decision Time

17:01

**The Presiding Officer (Sir David Steel):** We come now to decision time and I have 12 questions to put to members—although fortunately we seem to have disposed of two of them a moment ago. Would members please check that the light in front of their card has gone out and that they are ready to vote.

The first question is, that amendment S1M-2205.2, in the name of Nicol Stephen, which seeks to amend motion S1M-2205, in the name of Bill Aitken, on juvenile justice, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

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)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Macintosh, Mr Kenneth (Eastwood) (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)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)

McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 74, Against 16, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** As a result of that decision, the amendment in the name of Irene McGugan, S1M-2205.1, which seeks to amend Bill Aitken's motion, falls. It has been pre-empted.

The next question is, that motion S1M-2205, in the name of Bill Aitken, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

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)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
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 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Macintosh, Mr Kenneth (Eastwood) (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)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)

Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

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 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 74, Against 16, Abstentions 0.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament confirms its support for the principles of the hearings system in dealing with children who are at risk whether through offending or anti-social behaviour or are in need of care and protection; considers that the children's hearings system provides the best framework within which to identify the needs of vulnerable children and young people and to determine the most appropriate response; praises the commitment and skill of the volunteers who are appointed as members of Children's Panels and Children's Panel Advisory Committees; welcomes the consensus achieved by the Advisory Group on Youth Crime and confirms its support for the Group's recommendations for reducing and stopping youth crime; further welcomes the increased expenditure by the Executive on children's services and Youth Crime Review to support targeted services in local authorities; supports the Executive in its drive to reduce re-offending rates among children and young people, as set out in Working Together for Scotland, as this will benefit communities, victims and young people, and encourages local authorities, service providers and other partners to develop programmes and services which seek to address the offending behaviour and underlying contributory factors in the lives of young people who offend.

**The Presiding Officer:** The next question is, that amendment S1M-2207.2, in the name of Susan Deacon, which seeks to amend motion S1M-2207, in the name of David McLetchie, on improving patient care, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

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)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harper, Robin (Lothians) (Green)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (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)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 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)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 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)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)

Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)

#### ABSTENTIONS

Campbell, Colin (West of Scotland) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)

**The Presiding Officer:** The result of the division is: For 60, Against 16, Abstentions 14.

*Amendment agreed to.*

**The Presiding Officer:** The next question is that amendment S1M-2207.1, in the name of Shona Robison, which seeks to amend motion S1M-2207, in the name of David McLetchie, on improving patient care, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### FOR

Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 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)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)

Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gillon, Karen (Clydesdale) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (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)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeish, Henry (Central Fife) (Lab)  
 McLetchie, David (Lothians) (Con)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 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)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Dr Richard (Ochil) (Lab)  
 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)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Harper, Robin (Lothians) (Green)

**The Presiding Officer:** The result of the division is: For 15, Against 74, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that motion S1M-2207, in the name of David McLetchie, on improving patient care, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

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)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harper, Robin (Lothians) (Green)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jenkins, Ian (Tweeddale, Etrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (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)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 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)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 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)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)

Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)

**ABSTENTIONS**

Campbell, Colin (West of Scotland) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)

**The Presiding Officer:** The result of the division is: For 60, Against 16, Abstentions 14.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament welcomes the opening of the new hospitals; notes the progress that has already been made across Scotland in improving services for patients and believes that continued implementation of *Our National Health: a plan for action, a plan for change* will deliver increasing benefits for patients, with the objective of high quality care for all.

**The Presiding Officer:** The next question is, that amendment S1M-2236.1, in the name of Michael Russell, which seeks to amend motion S1M-2236, in the name of Jack McConnell, on effective assessment in Scotland's schools, be agreed to.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that amendment S1M-2236.2, in the name of Brian Monteith, which seeks to amend motion S1M-2236, in the name of Jack McConnell, on effective assessment in Scotland's schools, as amended, be agreed to.

*Amendment agreed to.*



**The Presiding Officer:** The next question is, that motion S1M-2236, in the name of Jack McConnell, on effective assessment in Scotland's schools, as amended, be agreed to.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament recognises the importance of effective assessment in schools as a means of improving learning and achievement and supports the Executive's plans to create a coherent system of assessment for Scotland; further recognises that the best way to achieve this is by (a) ensuring that the monitoring and reporting of pupils' progress is done in a consistent way throughout the school years; (b) supporting teachers to make sound judgements about pupils' learning and parents to be involved with their children's development; (c) improving national monitoring of achievement in key areas, and (d) bringing together diverse approaches to record-keeping and reporting in a single, integrated framework, and supports the Executive's plans to involve stakeholders in carrying forward these proposals and to introduce a simpler, more streamlined approach which is effective and easier for teachers, parents and pupils to understand, whilst ensuring that the core activities of teaching and learning remain the priorities for our education system and considers that the Executive should strongly encourage all publicly funded schools to participate in the new assessment system.

**The Presiding Officer:** The next question is, that motion S1M-2233, in the name of Tom McCabe, on committee membership, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the following Members be appointed to Committees—

Donald Gorrie to replace Nora Radcliffe on the Justice 1 Committee;

John Farquhar Munro to replace George Lyon on the Rural Development Committee;

George Lyon to replace Tavish Scott on the Justice 2 Committee;

Nora Radcliffe to replace John Farquhar Munro on the Transport and the Environment Committee.

**The Presiding Officer:** The next question is, that motion S1M-2232, in the name of Tom McCabe, on approval of statutory instruments, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the following instruments be approved—

the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (Orkney) (No 3) (Scotland) Order 2001 (SSI 2001/255);

the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (East Coast) (Scotland) Order 2001 (SSI 2001/256);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (Scotland) Order 2001 (SSI 2001/273);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 2) (Scotland) Order 2001 (SSI 2001/281);

the Food Protection (Emergency Prohibitions) (Amnesic, Paralytic and Diarrhetic Shellfish Poisoning) (Orkney) (Scotland) Order 2001 (SSI 2001/282);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 3) (Scotland) Order 2001 (SSI 2001/284);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 4) (Scotland) Order 2001 (SSI 2001/289); and

the draft International Criminal Court (Immunities and Privileges) Order 2001.

**The Presiding Officer:** The next question is, that motion S1M-2231, in the name of Tom McCabe, on lead committees, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the Local Government Committee is designated as Lead Committee in consideration of the Public Appointments (Parliamentary Approval) (Scotland) Bill.

## Sighthill (Community Issues)

**The Deputy Presiding Officer (Patricia Ferguson):** The final item of business today is a members' business debate on motion S1M-2119, in the name of Paul Martin, on community issues in Sighthill, Glasgow.

### *Motion debated,*

That the Parliament deplores the recent racist attacks in Sighthill that have been carried out by a minority; recognises that the community in Sighthill welcomes asylum seekers and that they require support and resources to ensure successful community relations; welcomes Glasgow City Council's introduction of an emergency action plan which will take a corporate approach to tackling many of the estate management issues that face residents in Sighthill, and considers that the Executive should ensure that Scottish local authorities share examples of best practice and expertise in implementing the dispersal programme, take steps to ensure that local police levels are kept to the maximum level possible, consider what additional resources can be allocated to assist communities with integration and the delivery of local services and develop an action plan that would work towards ensuring that councils and communities are assisted and informed during the dispersal programme.

17:10

**Paul Martin (Glasgow Springburn) (Lab):** I welcome the opportunity to set the record straight about the real Sighthill and the issues that face the area. A great deal has been written and said about Sighthill and the people who live there. Let me make it clear to the chamber that the people of Sighthill are decent people. [*Applause.*] For the record, we welcome asylum seekers to Sighthill and we always will.

The First Minister and the Minister for Social Justice, Jackie Baillie, who has new responsibility for asylum seekers, both visited Sighthill, as did the Minister for Justice and a number of other political leaders. Yesterday, the First Minister visited St Stephen's Primary School, where he displayed his professional football skills to the pupils, and saw for himself the integration that is taking place in that primary school, and in primary schools in other areas that are part of the dispersal programme. The media do not recognise how well our children are integrating. Many of them are learning a number of languages and are putting many of us to shame with their language skills.

The First Minister also had the opportunity to meet the real community of Sighthill. The Sighthill out-of-school care project is looking to develop an extension to improve its child care facilities. It is also looking to develop a drop-in centre for all sectors of the community, including asylum seekers. The friendship group, which has been

going for some time under the chairmanship of Charlie Riddell and Fatim Ahmed, enables asylum seekers and the local community to work together to develop support for asylum seekers.

The Springwell tenant management co-operative is managed by volunteers such as Angela Beattie, Margaret Beattie, Bill Greer and John Sweeney. All those people have worked tirelessly, as have the people of St Rollox church, which has almost been turned into a drop-in centre to support asylum seekers. Sighthill is not a community full of bigots or people who are ignorant towards asylum seekers; it is a community of people who welcome asylum seekers and have welcomed people from all parts of the world for more than 20 years under an overseas student programme.

It is time for all of us—political leaders and people from all parts of society—to create a vision with the Sighthill community and take quick and decisive action. We must learn from past mistakes. Far too often, politicians and their leaders are not willing to accept that they have made mistakes and that they must learn from them. I admit that mistakes have been made—by me and by many of us in Sighthill—but we will learn from them. That is an important part of the process.

We must consider a number of measures to ensure that action is taken in Sighthill. I ask the Minister for Social Justice, Jackie Baillie, to consider publishing an action plan that can be adopted by the Scottish Executive, the Westminster Parliament and Glasgow City Council. I ask that a number of matters be considered in producing that action plan. I will not be able to address all the issues, but I will touch on a couple.

First, it is clear that there was a lack of consultation with the community prior to 393 families arriving in Sighthill. We must reflect on that. We should set in place a protocol to ensure that local communities feel part of the process, a point that has been made by the local councillor. We are not asking for the local community to take a yes or no decision. We are asking for steps to be taken so that the local community feels part of the process. Unfortunately, the lesson that we must learn from the Sighthill experience is that the local community did not feel part of the process because it was not consulted on or informed about the programme. I ask the Minister for Social Justice to consider putting in place protocols and bureaucracies, which we are good at putting in place when it suits us.

I touch on the issue of community facilities. A great deal has been said about the lack of community facilities within Sighthill; that point has been made on a number of occasions. However, there is a Sighthill youth centre, a community

education centre and three excellent primary schools—St Kevin's Primary School, Sighthill Primary School and St Stephen's Primary School.

The genuine point to be made is that we must assist groups with their aspirations to develop local facilities. The point that was made to the First Minister and the minister with responsibility for asylum seekers is that groups must be assisted during that process.

Far too often the leafy suburbs with tennis clubs and golf clubs are successful in their applications for lottery funding because architects and surveyors assist them with that process. We should be clear that the people of Sighthill contribute to the lottery and they should expect to benefit from it.

I ask the minister to consider ways in which we can assist community groups in making applications for funding—a complicated process involving business and architectural plans and many other issues. I ask for specific funding to be put in place to deal with that.

I touch on the issue of public safety. As a number of asylum seekers and local residents have amplified, everyone wants to feel safe in Sighthill, regardless of their race. I commend Strathclyde police—I give them a difficult time in the Parliament, but I am sure that they will enjoy this statement—for introducing additional resources in the Sighthill area. It is on the record that I have called for additional resources in my constituency because of the public safety issue. I ask for that police presence to be sustained. The Minister for Justice is here and I ask him to make a representation to Strathclyde police that, for the foreseeable future, they will ensure that additional resources are deployed in the Sighthill area. That important issue has been raised a number of times by asylum seekers.

Much criticism has been levelled at Glasgow City Council. However, we must recognise a number of points. First, the dispersal scheme is complex. Secondly, if this was such a lucrative contract for the local council, why have other local authorities not formed an orderly queue outside the Scottish Executive to take part in the dispersal programme? It is important that we recognise that point. Glasgow City Council has taken part in the programme to engage with the programme's ethos, not just because there is a lucrative aspect to the contract. That is an important point to make. Glasgow City Council should be given credit and assistance for the work that it has done so far, but it should also, as I said, learn from mistakes that have been made. We have assurances that those points will be taken on board.

Presiding Officer, I want as many members as possible to have a say in the debate, so I will

conclude. I would like to mention a number of issues, but we do not have time.

I have been impressed by the determination of the Sighthill community. I know that the various ministers and political leaders who have visited the community have been particularly impressed by its determination. In that context, I must mention an incredible young man from Sighthill, Steven McMahon, who was successful in obtaining a scholarship to the Alvin Ailey American Dance Center School in New York. That was achieved despite the difficult circumstances of Steven's mother. The local community and various funding sources rallied round to ensure that Steven was able to take up his scholarship. Following the plane disaster in New York last week, I was delighted to learn from Colin McKay, my friend and journalist colleague—I do not know whether those terms go together—that Steven is safe and well. That was also reported on the ITN news.

I ask everyone concerned to give us time to improve the standard of life in Sighthill, to put the negative past behind us and to promote the real Sighthill. That, with commitment from all agencies and with the necessary resources, will allow us to build a new and healthy future for all.

**The Deputy Presiding Officer:** Paul Martin is correct. A large number of members wish to speak. I ask members, therefore, to keep their speeches within the recognised time limits.

17:19

**Shona Robison (North-East Scotland) (SNP):** I thank Paul Martin for lodging the motion, which is perhaps overdue, but is welcome.

I know Sighthill well, as I worked there for several years. I also know the people of Sighthill well and I agree with Paul Martin that they are good people who have been given a difficult time in the press. By the people of Sighthill, I mean both the host community and the asylum seekers who live there.

In the past few months, I have made several visits to the area and I spoke to asylum seekers, local people and officials long before the issue hit the headlines. I was concerned about the lack of action and recognition of the situation. I am heartened to hear Paul Martin talk about learning from mistakes, because unless we are honest about the fact that actions were not taken as they should have been, we will not move on. Community consultation is at the heart of the matter, as many of the problems could have been avoided.

It took the tragic death of Firsat Dag to make many in authority sit up and take notice, but we are now turning the corner. I welcome the long-

overdue investment in Sighthill and other areas in Glasgow that have refugees and asylum seekers. However, money is not all that is needed. Money itself does not change attitudes or tackle the hostile media that have, unfortunately, fuelled many negative views about asylum seekers, which we must acknowledge are more widely held than we would like them to be.

In the light of the tragic events in the USA last week, it is more important than ever that we send out a clear message that we will not tolerate any bigotry or racism, including that which uses last week's horrific events as an excuse to attack anyone from our ethnic minority communities. I am sorry to say that there have been reports of increased hostility towards our indigenous Scots Muslim community as well as asylum seekers. Investment is welcome, but what we politicians say and the language that we use about asylum seekers is important. If we get the language wrong or say what we should not, we will fuel the ideas of those who want to be less than welcoming towards our guests.

I will conclude now, as I know that many other members want to speak and I do not want to take up too much time. I hope that we have turned a corner. We have the opportunity to restore the reputation that we would like Scotland to have as a welcoming, tolerant country. In the past few months, I have sometimes felt that that reputation has been in question. An opportunity exists to prove that we can be that country. I hope that all members agree that that is the way to proceed.

17:23

**Robert Brown (Glasgow) (LD):** I congratulate Paul Martin on his motion and the tone in which he made his speech, which contained sentiments to be supported by every member.

As Shona Robison said, the debate takes place against the tragic background of last Tuesday's atrocities in America. As she also said, those events add a new dimension to the matter. The world will be a far more uncertain and hostile place than it was before. To accompany the sharpening of tension, a climate of greater fear, hostility and intolerance than ever before could come, here and abroad. It falls to us in Scotland and Glasgow to do what we can to reduce tensions and fears and ensure that people who come to our shores—of whatever colour or creed—are treated as individuals and not as pawns in some political numbers game.

I will set the matter in context. The dispersal system and its administration have been a discriminatory and bureaucratic shambles in some key respects. Plain humanity and common sense dictate that asylum decisions should be quick,

sympathetic and equitable. Often, they are none of those.

The resources that have been put into the immigration department in Croydon seem woefully inadequate. The department's staff rarely write letters and cannot be reached by phone. People who are called for interview are not usually seen in Scotland. The voucher system is bureaucratic, inflexible and demeaning. That is the context that lies behind the debate.

Immigration dispersal policies are, by their nature, short-term and temporary. We need a permanent resettlement policy, one that is based on the fact that many refugees are people with talents who will enhance our country and add to our skills base. These are people who are likely to become permanent residents. A resettlement policy would encourage people to work. It would make them independent and supportive members of society and not, as is the case at present, dependent members of a somewhat different set-up.

There seems to have been little appreciation of the vast range of services that would be affected by the dispersal. That includes the effect on schools, doctors, social workers, housing officers and legal services. As Paul Martin rightly said, lessons are being learned and people are getting to grips with the situation, but it was a bad start.

Despite the reassurances of officials, I am told repeatedly by people at the coalface that there was no real pre-organisation. That was true of the legal services provision. It stands to reason that the arrival of hundreds of additional asylum seekers would create a need for lawyers with expertise in handling applications from asylum seekers. The cost of interpreters would also need to be met.

I understand that many asylum seekers do not use the western calendar. There has therefore been endless confusion about dates, which are so important for people who are processing applications for asylum. Lawyers have had to master complex material about the political situation in different parts of the countries from which the refugees originate. For some families, mastery of that complex material could be a matter of life and death.

My message to the Scottish Executive and the Minister for Justice is that they must ensure that adequate legal services, with lawyers of expertise, are made available. At present, the bureaucracy of the legal system discourages many potential immigration lawyers from getting involved. That problem must be tackled. The UK Government must ensure that major change takes place. It should allow people to be interviewed in their local areas; make funding available for interpreters; and

speed up the system. Above all, the UK Government should consider abolishing the discriminatory aspects of the system, such as the voucher system, which causes so much resentment. That adds to tension.

We are living in an age in which we are seeing major movements of population. Over the past 10 years, the United Kingdom has received one fifth of the number of asylum seekers that has gone to Germany. We must keep the issue in perspective. The challenge is to manage the issue in the best way possible. It is unfortunate that Sighthill has taken the heat of the situation. The murder that took place was an aberration and it should be set against a background of improving community relations.

I support the motion and I congratulate Paul Martin on lodging it.

17:27

**Bill Aitken (Glasgow) (Con):** I also want to congratulate Paul Martin on lodging the motion and for the way in which he has conducted himself during a time that must have been extremely difficult for his constituency.

Paul Martin has recognised, as we all must, that the issue is one that requires to be dealt with sensitively and with common sense. We politicians are great adherents of the blame culture. As the UK Government's asylum policy is a shambles, I see no point in blaming individuals. Given hindsight, we can all have 20:20 vision, but we must start to move forward.

I was intrigued by some of the ideas that were proposed by Paul Martin, such as the suggestion that lottery funding should be used to assist people in Sighthill and similar areas. Lottery funding can do a tremendous amount for disadvantaged areas. It is true that people in areas such as Sighthill are disadvantaged in the formulation that is used to make applications for lottery funding when compared to people in other areas of Glasgow.

We cannot lose sight of the fact that where there is evil there is also a great deal of good. I am not at all confident that decisions that were taken by Glasgow City Council were for the best, although the council's approach to the matter has been, in some respects, entirely sensible. I am satisfied that the council meant well and I will not criticise it.

As Paul Martin stated, it is clear that in future, prior to the placing of a large number of asylum seekers in an area, we must involve the community. If problems can be sorted out at the start, the difficulties that arise will be less.

I reject absolutely the suggestion that Glasgow people are racist. There has been some

unfortunate publicity in that respect. Some of them may be racist, but the vast majority of Glasgow people have, over the generations, done everything possible to welcome refugees to their midst. Refugees from all parts of Europe and beyond have come here. We have a large and thriving Asian community in Glasgow, which exists to the benefit of us all. I reject absolutely any suggestion that there is a racist element of any significance in Glasgow. I agree with Robert Brown that the tragic murder of Firsat Dag was an aberration. That unfortunate man happened to be in the wrong place at the wrong time.

I call upon all concerned to proceed with sensitivity and determination. Sensitivity is necessary to recognise the difficulties—difficulties that, unfortunately, have been created, in many respects, completely outwith the control of the people of Sighthill. At the same time, there must be determination to overcome those difficulties. I am confident in the assertion that the common sense of the Glasgow people generally, and the people of Sighthill in particular, will contribute to a substantial resolution of those problems.

17:31

**Mike Watson (Glasgow Cathcart) (Lab):** I will do no more than echo Bill Aitken's comments on Paul Martin and what he has done in recent weeks. The debate is important in the light of recent events in Glasgow. I do not know whether I am the only person in the chamber this afternoon to have seen the film "Gas Attack". It was meant to be fiction, although it carried a health warning. By the time it was released there had, tragically, been a murder in Glasgow. It was all too close to events. I found the film moving and worrying.

For obvious reasons, much of the attention in Glasgow in relation to the dispersal of asylum seekers has been on Sighthill. However, there are other parts of the city that have taken asylum seekers over the past year or so, albeit in considerably smaller groups. I refer not only to Castlemilk but to Kennishead, both of which are in my constituency. The key here may be smaller units, such as those that exist in Battlefield and Cathcart. There is one example of a house with several units in it. It is important to consider different types of housing when dispersal is taking place and not simply to fill voids in difficult-to-let areas. That may offer a way forward.

A number of speakers have referred to the importance of preparing local communities for the arrival of asylum seekers. There was a welcome group in Castlemilk, which was warned not only about who was coming but about the area that they were likely to come from. The difficulty is that since the national asylum support service was set up, all the support for asylum seekers has been

taken away from local authorities and centred in Croydon. As often as not, I have found that the agencies in Glasgow—Glasgow City Council and voluntary agencies such as Glasgow the Caring City—have been unable to find out where people are from or when they are arriving so that they can, if at all possible, allocate groups together that at least have languages in common, if not entire cultural backgrounds.

It has been frustrating not to have such information. Croydon has been asked for it but has been unwilling to supply it. Someone sits in an office in Croydon and decides where someone should go in a part of Glasgow that they have never visited and do not have a feeling for. That has to change. The Glasgow City Council support unit is doing a first-class job. The work that Brian O'Hara—whom I met recently—and his colleagues are doing in difficult circumstances and with stretched funds is as much as could be expected of them. That preparatory work for communities is very important.

I would like to say a bit about allocation. I have come into contact with some asylum seeker families. Unnecessary problems are caused by not linking people from a similar cultural or linguistic background and even families have been split. I have had two cases where one part of a family has been in the north of the city and the other in the south of the city. I could not get them together. I had slightly more success with a family that was split between Glasgow and Peterborough. Such ludicrous situations should not be allowed to arise. We are building up unnecessary difficulties.

It is appropriate to talk about the work of Strathclyde police. I have found their reaction to be very positive. They have appointed liaison officers and committed more resources. On any occasion when I have raised issues with them, I have found them to be sensitive to what was involved.

I pay tribute to local people and particularly to the Reverend Baxendale and his supporters at the Baptist church drop-in centre in Castlemilk, who provide a very worthwhile facility. Malcolm Chisholm visited the centre recently and I am sure that he would agree with me about that.

The Scottish Executive's review of devolved issues as they affect asylum seekers has to concentrate on the short-term and long-term housing needs of asylum seekers. When leave to remain is gained, asylum seekers have only 14 days in which to find alternative accommodation. That is often impossible and that problem must be examined. We have to examine the sustainability of the assistance that we provide to asylum seekers once they move beyond that status.

17:35

**Linda Fabiani (Central Scotland) (SNP):** I welcome the debate and put on record the fact that the SNP very much welcomes the extra money that was announced yesterday. Many members have said that there are lessons to be learned and I hope that we will learn a lesson from Glasgow. When we have dispersal programmes to different local authorities across the country, I hope that we will take on board everything that has been said today and has been said many times over the piece. Preparation and knowledge of what is happening is the key.

I also welcome the appointment of Jackie Baillie—and presumably of Margaret Curran as her deputy—to spearhead the approach to refugees and asylum seekers in Scotland. It is important that we have someone heading up that work.

However, I sound a slight note of less than optimism. There is so much that can be done in Scotland and so much that can be done to help Sighthill. Much can be done to help people once they come here, but I feel that the systems that we have in the UK, over which Scotland has no control, are creating problems too. I hope that part of the ministers' remit will be to ensure that there is proper co-operation between the Scottish Executive and the UK Government on the strategic issues surrounding asylum seekers and refugees to make practices a bit better.

Robert Brown mentioned problems with NASS. Many MSPs, as well as local volunteers who work directly with refugees and asylum seekers, have tried hard to get some sense out of the prevailing systems, but we have found it very difficult. Small things can cause problems. For example, a bus load of asylum seekers may arrive, but the welcoming people may have lists with different names on them. I heard of a couple in Sighthill who had to go to Liverpool for an interview, but were not sent their tickets and had to borrow the money to get there, in terror that they would miss the interview. They have still not had their money refunded; when people are living on vouchers, that is a ridiculous situation.

I have also heard of people who go down to England for an interview and take their children with them, but who have no money to buy food. In some cases, they may not have eaten for 24 hours by the time they have got down there and back again. That is difficult for anyone to cope with, but when English is not their first language and they are jaunting about a country that is completely alien to them, it is even more difficult. I hope that Jackie Baillie and Margaret Curran will be able to take such examples on board. Even if they cannot insist that NASS opens an office up here so that people can go for local interviews, they should at

least try to do something to streamline the procedures. I have no doubt that they will try to do that.

Dungavel detention centre is in the area where I live. I have visited the centre and I have no doubt that the people who work there, 95 per cent of whom are local, want to do the very best they can for the people who are detained there. However, there are restrictions. I have found that, even for a local MSP, it is very difficult to get information about what is happening there. I do not know whether detention will be part of the ministers' remit, but I hope that they will monitor detention closely. We should be monitoring detention in Scotland, asking for information in Scotland and insisting on getting that information in Scotland. It is only then that we can make bland statements such as "Scotland welcomes asylum seekers," or "Scotland's not racist and welcomes refugees." We have to grasp the opportunity to insist that we are a welcoming society. I ask the minister to acknowledge that in her winding-up speech.

17:40

**Tommy Sheridan (Glasgow) (SSP):** I, too, thank Paul Martin for securing this much-needed debate. A meeting took place in the chamber last Friday, on the 25<sup>th</sup> anniversary of the passing of the Race Relations Act 1976. It is my duty to inform members that a number of the delegates at that meeting, representing civic Scotland and anti-racist groups throughout Scotland, would not agree with some of the descriptions that we have heard today of the murder of Firsat Dag as an aberration. I remind all members that racism and the number of racist attacks are increasing significantly. That does not mean that Scotland is racist and it certainly does not mean that Glasgow is racist, but racism exists and, unfortunately, the evidence shows that the number of racist attacks has increased. Therefore, the Parliament cannot be anything but extra-vigilant in its actions and attempts to face up to that fact.

I am glad that Paul Martin referred to the local churches and voluntary groups. In that context, I mention the Fountainwell tenants association and people such as Norrie Gower and Charlie Riddell, who, sometimes against great odds, have faced people down and explained the need to have basic humanity at the front of our hearts. It should be remembered that 1,103 of the 3,391 asylum seekers in Glasgow are children. Given those statistics, it is time that we, as a Parliament and as a people, opened our hearts and offered a hand of solidarity instead of a fist of fury.

I have voiced some legitimate criticisms as an MSP and as a former councillor on Glasgow City Council and will voice more in the future. However, I ask the minister to acknowledge the fact that

Glasgow City Council has stood alone in welcoming refugees. Other authorities are now beginning to talk about accepting part of the dispersal, but that is too little too late. It is time for the rest of Scotland to come to the aid of the asylum seekers.

I hope that the minister will be prepared to make representations about health spending in the areas that need attention. Asylum seekers need extra health spending—for interpretation services, if for nothing else. There are now 22 different languages spoken in the Sighthill area, which is putting huge pressure on the interpreting services, yet there is no recognition of that fact or of the need for extra health spending in Westminster budgets. If no help is going to be received from Westminster for such things, we need extra help from the Scottish Executive.

A similar problem exists in policing. Some members have mentioned the fact that the police have committed extra resources—that is marvellous. However, the problem is that the police's budget does not receive any more money in recognition of the presence of asylum seekers: it is from their existing budgets that they have to increase spending on the service. That fact deserves special recognition, so that the police budget can be increased appropriately.

Several members have mentioned the response of the media. We have no control over the media, but I say to members that anybody who thought that we had a responsible media will no longer believe that, following the events of the past few months. Reports in papers such as *The Sun*, the *Daily Mail* and the *Daily Record* have been telling us about the £300 a week that the asylum seekers have been queueing up to get. Such nonsense and lies fuel the flames of hatred and intolerance and we should condemn those reports absolutely. Similarly, the treatment by the media—particularly the *Daily Record*—of the murder of Firsat Dag was a disgrace to journalism. Those responsible should be ashamed of the way in which they presented that coverage.

I know that these issues are reserved to Westminster, but we are talking about treating people with compassion and basic humanity. Why are we detaining families who have committed no crime? We should not accept detention centres for asylum seekers. They have committed no crime and do not deserve to be detained. I ask the minister to make representations on Dungavel and on the vouchers, which are racist to the core.

Asylum seekers are given not the minimum level of income that is needed to survive but 70 per cent of that level and—to add insult to injury—only £10 of that is given in cash. To treat people like that is a disgrace and it needs to be challenged. If we are to build a tolerant Scotland, I hope that the

minister will make representations to Westminster saying so.

**Paul Martin:** Would it be possible to move for an extension of business by 10 minutes to allow the remaining members to speak?

**The Deputy Presiding Officer:** Yes.

*Motion moved,*

That the meeting be extended by 10 minutes.—[*Paul Martin.*]

*Motion agreed to.*

17:45

**Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab):** I welcome the signature role played by the constituency MSP for Sighthill, Paul Martin, and I note his measured speech. Paul Martin and his father, the Speaker of the House of Commons, are to be commended on their hard work on this issue in Sighthill.

When devolution dawned, there was a lot of rhetoric about what the new Scotland would produce. A lot of that rhetoric proved to be overblown. Change is brought about in places by leadership and people's actions. I am therefore delighted that it is a Labour MSP who secured this debate.

It is important to stress, as Paul Martin did, the genuine welcome for asylum seekers that there has been in communities across the north of Glasgow—and, for present purposes, we can count Strathkelvin and Bearsden as being in the north of Glasgow. That welcome is also extended in the south of Glasgow and elsewhere in the country. Now, more than ever, we need to send the message that diversity is a positive force in Scotland and that Scotland draws strength from the diverse communities that have come here over the years. It is perhaps particularly apt that some of the most prominent voices in sending that message belong to people whose ancestors, only 70 years ago, were referred to in this room as "an alien race". I am particularly proud that Paul Martin should issue that message of welcome. His solid work in sending that message has met wide support across the north of Glasgow and elsewhere.

Parts of what Linda Fabiani and Tommy Sheridan said were almost a counsel of despair. A great many of the everyday problems that asylum seekers and their families experience can be addressed by local authorities, the Scottish Executive and local communities. I suspect that that point lies at the heart of Paul Martin's motion.

Paul Martin has support from the Labour benches—and, I trust, from other parties in the chamber—in his campaign for additional

resources to assist—

**Shona Robison:** I feel compelled to ask Mr Fitzpatrick to acknowledge that this is not a debate for party-political point scoring. I hope that he acknowledges that all members, from all parties, should come together to do the best that we can for asylum seekers in Scotland.

**Brian Fitzpatrick:** I am happy to acknowledge that—hence my reference to the other parties in the chamber. However, I am also happy to recognise the particular contribution that has been made by the member for Sighthill, who happens to be a member of my party. I make no apologies for that.

I ask the minister to take into account Robert Brown's cogent points on the better delivery of legal services. There are problems both with identifying solicitors with the right expertise and with making them available to those who have the need for legal services.

I invite the minister to deal sensitively with the pressing, compelling and—I imagine—continuing points that Paul Martin and others will make on resources and I invite her to commend Paul Martin for securing this debate.

17:49

**Donald Gorrie (Central Scotland) (LD):** I congratulate Paul Martin on securing the debate and on his speech. I associate myself with the points that Robert Brown and other members made about the defects of the United Kingdom asylum policy, which has been badly run by successive Governments. I hope that the minister and those of us in more humble stations will put pressure on our respective parties in Westminster to sort that out. What we can do in the Parliament is important but limited.

Some weeks before the recent disaster and murder, I visited the YMCA, which has a block just outside Sighthill that is entirely full of asylum seekers. I found that the YMCA was doing a good job, although there were defects in the system. The YMCA pointed out the lack of joined-up government from which we still suffer. Anniesland College wished to run an English language course for asylum seekers but seemed unable to get funding to run the course because of some technicality. I have drawn that to the attention of ministers, who I hope will be able to sort it out.

The Parliament and Executive can take a lead in encouraging our fellow citizens not to take foolish, mob action against incoming communities. I have lodged a motion on that subject. A good many members have signed it and I hope that more will. The Parliament should make it clear that, over the years—going back to Flemings in the middle ages,



the Irish in the 19<sup>th</sup> century, Jews, Italians and a lot of other people before we come on to the Muslims, Indians and others—the incoming communities have made a huge contribution to life in Scotland. The Parliament should also make it clear that incoming communities are valued and that we totally oppose any of our fellow citizens blaming them for the actions of a few lunatics far away.

The Executive could take action on that. For example, it could get the police to record, in a way in which they do not at present, crimes related to religious hatred, sectarianism and racial hatred. If the police were to get better figures on such crimes, that would make them pay more attention to those crimes.

The Executive could also have discussions with community groups and the police on, for example, Muslim women, who are very identifiable and therefore open to pressure. I know of a group in Edinburgh that is now allowed to meet only in the mosque and nowhere else.

Things could be done in the meantime. I hope that, in due course, Parliament will have a chance to consider a bill that I am proposing on sectarian and religious hatred. That will be some months away because of our slow system.

We must give better help to all communities before they create trouble. It is a defect in government—it is not party-political issue—that, when people get riotous, they get goodies. We should give the necessary support to our poorer communities. That would help the residents and they would not then feel aggrieved because of what they perceive as incomers getting an extra-special deal.

That will cost money. There is no way round that. We must put more into supporting the community facilities and voluntary activities that are the foundation of a good society in our rural and urban communities throughout the country.

17:54

**Lord James Douglas-Hamilton (Lothians) (Con):** Some weeks ago, I had the good fortune to hear Mr Martin on the radio in the early morning. The words that he used then and what he said tonight carry considerable weight.

One of the most poignant experiences that I have had in my life was visiting the United States Holocaust Memorial Museum in Washington. One of the terrible difficulties that many of those concerned faced was that they could not get out in the face of persecution, harassment and eventual death. That is why I have always believed that refugees—whatever their race, nationality or religion—should be treated well, effectively and in good time. Tragedies such as the Holocaust

should not be allowed to arise.

Those who have compassion, humanity and respect for human dignity would strongly support that. Those who merely wish to improve their standard of living are not in the same category as those who are genuine refugees fleeing from persecution. The First Minister was right to set the tone of Scotland's welcome to those who are genuine refugees when he said that we want to ensure that people who have been through a trauma in their own country are welcomed.

**Tommy Sheridan:** Will the member take an intervention?

**Lord James Douglas-Hamilton:** I will, but I have a number of points to make.

**Tommy Sheridan:** If a family is fleeing famine in its country, it is obviously trying to improve its standard of living. Are those people genuine refugees?

**Lord James Douglas-Hamilton:** Obviously, if someone is facing great adversity in circumstances that make it impossible for them to live in their own country, that would be taken into account, as a matter of humanity. One would have to come to the most appropriate decision in those circumstances. However, if someone merely wishes to improve their standard of living when they have a lower standard of living but their way of life is not under threat, that is a different matter. I am sure that Tommy Sheridan appreciates that.

From what I have said, it follows that some applications are taking far too long to determine. I understand that an application can take up to two years to process. That is wholly unsatisfactory. Similarly, the voucher system is not only expensive to administer, but somewhat chaotic—it, too, needs attention. I ask the minister to make appropriate representations to Government ministers in Whitehall—she may already have done so.

Most important, if Whitehall wishes Scotland to take many more asylum seekers, the UK Government should reimburse the full cost. It is not doing that in respect of education needs and social work. I hope that the minister will fight Scotland's corner and ensure that our concern is registered strongly with the UK Government. The minister has made it clear that she is finding a way forward with the provision of funds and assistance for language teaching. That is an important contribution and we look forward to her words tonight.

17:57

**The Minister for Social Justice (Jackie Baillie):** Both Margaret Curran and I are proud to have been given responsibility for co-ordinating

the Executive's interests in asylum seekers and refugees. We are grateful for the early opportunity to speak on the matter and we are particularly pleased that the occasion is a debate instigated by Paul Martin, who has worked tirelessly in the interests of Sighthill and today has powerfully articulated the key issues.

I was pleased to have had the opportunity to visit Sighthill yesterday. During our visit, the First Minister and I met all sorts of people from across the community: community representatives, shopkeepers, the local dentist, asylum seekers, schoolchildren and many others. We also met people who are working to support the community and the asylum seekers and to assist the process of integration: representatives from Glasgow City Council, from the police, from the churches and from community and voluntary organisations.

It was important for me to hear at first hand the experiences of all those people over the past few months. What I saw in practice bears out what Paul Martin said. I saw a community working hard to address and overcome some of the real and difficult challenges that it faces. I use the term "community" deliberately, to include established residents and the more recent arrivals.

The First Minister and I visited St Stephen's Primary School—where it is true the First Minister tried out some of his footballing skills—talked to the tenant management co-operative and called in at the youth drop-in centre. We were enormously impressed by the efforts that were being made to help all those living in the area to integrate the new arrivals and to make them welcome.

From our visit, it was clear that a significant amount of good work is going on, on all sides. Solid progress is being made and there is already good practice of the kind that will be of enormous value as Scotland continues to welcome refugees and asylum seekers. We must value and build on that good work and not allow those responsible for it to become discouraged by being told continually—by those who know no better, frankly—that Sighthill is a problem.

None of that means that we are complacent. The difficulties that are being encountered in Sighthill in particular, but also in other communities across Glasgow, are complex and multifaceted. There are problems in addressing the challenges that asylum seekers and refugees face in trying to establish a new life in a new country, including the problems of tackling racism wherever it appears. I agree with Shona Robison's comments, particularly against the background of the tragic events in the United States last week. There are problems of language and culture and of all aspects of integration. There are also equally important issues about the communities themselves and about how they cope with the

influx of new people, who are often from very different cultural backgrounds.

It is important to acknowledge all the work that has already been done. I pay particular tribute to the police, who have been incredible in their efforts in Sighthill, to the army of volunteers and community activists, who are working there every day, and to the asylum seekers themselves. However, the communities and those who are helping them are telling us that more can be done and that, in some cases, what we are doing could be co-ordinated more effectively. My colleagues and I have to listen carefully to those messages. Where there are areas in which we can deliver improvements or enable others to do so, we will act.

For my part, following the visit that the First Minister and I made yesterday, I intend to hold discussions with a number of the key players, including the Scottish Asylum Seekers Consortium and the Scottish Refugee Council. The purpose of that is to identify areas where the Executive can add value to what is already going on, where we can remove obstacles and where we can helpfully co-ordinate activity. We must also identify what role we might play in spreading good practice. I will consider the points made by Robert Brown, Tommy Sheridan and Brian Fitzpatrick about legal services, health services and translation and interpreting services. On a general note, I am happy to consider any evidence of problems that have arisen and of improvements that people think are required.

Within the Executive, we have put in place a dedicated unit of officials to take forward work on asylum and refugee issues. That unit will be working not just with local authorities, health boards, the police, voluntary organisations and others, but with the communities themselves, to ensure that everyone is pulling in the same direction. I stress that any action that we take will be developed in partnership with the communities, the asylum seekers and refugees and local people. As others working in this area have recognised, we will get nowhere if we impose solutions on communities. There has to be a true sense of community ownership of the agenda.

We are taking direct action. I will shortly be establishing the Scottish refugee integration forum, which I will chair. The forum will bring together many of the key players to ensure that we plan effectively for refugees, as equal citizens in our society.

As the First Minister announced yesterday, we are allocating £700,000 to the Glasgow Alliance to help communities in Glasgow to face the new challenges arising from the location of asylum seekers and refugees. Critically, a whole-community approach is being adopted. The

alliance will be responsible for deciding where and how that money is spent, although there are clearly identified requirements, including extra child care services, community integration work, advice and support services, which are to be provided on an open-door basis, and, of course, the key area of language, specifically the provision of translation and interpreting services.

Today, we announced in the answer to a parliamentary question that the Scottish Executive is committed to working with the further education colleges to ensure adequate support to those who require assistance. That includes asylum seekers and those in other categories who are also new to Scotland. I am pleased to announce that the Executive intends to provide £1.7 million of new funding in the current financial year and in future financial years to support a package of measures to strengthen the ability of the colleges to undertake a range of work, including language work. That sum comprises half a million pounds to boost college provision specifically for asylum seekers and a further £1.2 million for other groups.

That sum will be channelled through the Scottish Further Education Funding Council. The package of measures will include the waiving of the residence and settlement criteria that until now have governed the ability of a college to claim funding and to reclaim the cost of waived fees. I note that representatives of Stevenson College, who will welcome that announcement, are present in the public gallery. Funding is being made available to allow colleges to provide books and support with travel. A new discretion relating to asylum seekers will allow colleges to approve continued studies beyond the level of basic courses.

Paul Martin referred to the need to adopt best practice and to develop an action plan. I am happy to give that commitment. We have a programme of support on the ground, through social inclusion partnerships, but I am willing to consider what more we can do to help communities to help themselves.

We have a reputation as a fair, caring and tolerant nation. The vast majority of Scots are proud of that reputation and want to maintain it. I see the qualities of fairness and tolerance in abundance in areas such as Sighthill, Castlemilk, Pollok and Toryglen. That makes me confident that we will achieve the full integration into our society of asylum seekers and refugees—often people who have suffered greatly in their own countries—so that they can live their lives safely and to the full as valued and equal citizens.

*Meeting closed at 18:06.*



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