

MEETING OF THE PARLIAMENT

Thursday 22 November 2001

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2001.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Thursday 22 November 2001

Debates

	Col.
SCOTTISH LOCAL GOVERNMENT (ELECTIONS) BILL: STAGE 1	4055
<i>Motion moved—[Peter Peacock].</i>	
The Deputy Minister for Finance and Local Government (Peter Peacock)	4055
Tricia Marwick (Mid Scotland and Fife) (SNP)	4059
Mr Keith Harding (Mid Scotland and Fife) (Con)	4062
Iain Smith (North-East Fife) (LD)	4064
Trish Godman (West Renfrewshire) (Lab)	4067
Ms Sandra White (Glasgow) (SNP)	4069
Mr Murray Tosh (South of Scotland) (Con)	4070
Dr Sylvia Jackson (Stirling) (Lab)	4073
Colin Campbell (West of Scotland) (SNP)	4075
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	4077
Bill Butler (Glasgow Anniesland) (Lab)	4078
Brian Adam (North-East Scotland) (SNP)	4080
Tommy Sheridan (Glasgow) (SSP)	4081
Donald Gorrie (Central Scotland) (LD)	4083
Bill Aitken (Glasgow) (Con)	4084
Peter Peacock	4088
SCOTTISH LOCAL GOVERNMENT (ELECTIONS) BILL: FINANCIAL RESOLUTION	4092
<i>Motion moved—[Peter Peacock].</i>	
NHS REFORM AND HEALTH CARE PROFESSIONS BILL	4093
<i>Motion moved—[Malcolm Chisholm].</i>	
The Deputy Minister for Health and Community Care (Malcolm Chisholm)	4093
Nicola Sturgeon (Glasgow) (SNP)	4095
Ben Wallace (North-East Scotland) (Con)	4096
Mrs Margaret Smith (Edinburgh West) (LD)	4097
Shona Robison (North-East Scotland) (SNP)	4099
Malcolm Chisholm	4099
QUESTION TIME	4101
FIRST MINISTER'S QUESTION TIME	4118
BUSINESS MOTION	4126
<i>Motion moved—[Euan Robson]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	4128
<i>Motions moved—[Euan Robson].</i>	
DECISION TIME	4129
CONTRACT RESEARCH STAFF	4132
<i>Motion debated—[Alex Neil].</i>	
Alex Neil (Central Scotland) (SNP)	4132
Des McNulty (Clydebank and Milngavie) (Lab)	4134
Mr David Davidson (North-East Scotland) (Con)	4135
Tavish Scott (Shetland) (LD)	4136
Marilyn Livingstone (Kirkcaldy) (Lab)	4138
Mr Kenny MacAskill (Lothians) (SNP)	4139
Mike Watson (Glasgow Cathcart) (Lab)	4140
Robin Harper (Lothians) (Green)	4141
Dr Richard Simpson (Ochil) (Lab)	4141
Donald Gorrie (Central Scotland) (LD)	4142
Dr Sylvia Jackson (Stirling) (Lab)	4143
Robert Brown (Glasgow) (LD)	4144
Dr Elaine Murray (Dumfries) (Lab)	4145
Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab)	4146
The Deputy Minister for Enterprise and Lifelong Learning and Gaelic (Mr Alasdair Morrison)	4147

FIRST MINISTER	4150
Dennis Canavan (Falkirk West).....	4150
The Minister for Education, Europe and External Affairs (Mr Jack McConnell)	4152
David McLetchie (Lothians) (Con).....	4155
Mr John Swinney (North Tayside) (SNP)	4158
Mr McConnell.....	4164
Mr Swinney.....	4164
David McLetchie	4165
The Deputy First Minister and Minister for Justice (Mr Jim Wallace).....	4165
Dennis Canavan	4166

Oral Answers

Col.

QUESTION TIME

SCOTTISH EXECUTIVE	4101
Diet	4107
Fish Farming.....	4113
NHS Dental Services (Grampian).....	4101
Regeneration of Communities (Culture and the Arts)	4102
Renewable Energy (Dumfries and Galloway)	4116
Road Projects (A830)	4106
Schools (Physical Education).....	4109
Scottish Transport Group Pension Schemes	4104
Stirling-Alloa-Dunfermline Railway Line	4114
Territorial Waters (Boundary)	4112
Water Industry	4111

FIRST MINISTER'S QUESTION TIME

SCOTTISH EXECUTIVE	4118
Prime Minister (Meetings).....	4120
Prosecution of Crime	4125
Scottish Executive Priorities	4118
Tourism.....	4122
Voluntary Sector	4123

Scottish Parliament

Thursday 22 November 2001

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

Scottish Local Government (Elections) Bill: Stage 1

The Deputy Presiding Officer (Mr George Reid): Good morning. The first item of business is—

Michael Russell (South of Scotland) (SNP): On a point of order, Presiding Officer. I am sorry not to have given you notice of this point of order. A notice has been issued to members of the press regarding a visit to the chamber this afternoon by Mr Iain Duncan Smith. The final item in that notice reads:

“1515-1540: Mr Duncan Smith will be available for media interviews in the Black and White corridor”.

Who gave permission for that to happen? Why was that permission given? Are reciprocal rights being granted to members of the Parliament to be interviewed in the lobby of the House of Commons? Has anybody, perhaps in the Conservative party, told Mr Duncan Smith that he will be a distraction from another event in the chamber this afternoon? I cannot imagine that many people will wish to address him.

The Deputy Presiding Officer: As you rightly said, Mr Russell, you did not give me advance notice of that point of order. I will reflect and consult on it and come back to the chamber with a response as early as possible.

As I was saying, the first item of business is a debate on motion S1M-2307, in the name of Angus MacKay, on the general principles of the Scottish Local Government (Elections) Bill.

09:31

The Deputy Minister for Finance and Local Government (Peter Peacock): The bill is short but important for Scottish local government. It is a significant measure in providing stability for councils to do their job and in developing and strengthening local democracy throughout Scotland.

As members know, a three-month consultation period began at the end of March. There were more than 80 responses to the consultation, and all but one of Scotland's councils responded. The consultation responses show strong support for the measures in the bill.

The bill has three main provisions. The first is a four-year mandate for councillors. The second relates to council elections being rescheduled to coincide with ordinary elections of the Scottish Parliament and cancels the planned 2002 council elections. The third main element is a provision for ministers to approve pilot schemes for the modernisation of the administration of council elections. I will consider each of those measures in turn.

The four-year mandate for councillors is part of a process of trying to provide greater stability and better planning horizons for councils. It fits well with other measures that we have taken for more budgetary stability, such as introducing three-year budgets and, in turn, councils setting three-year council tax levels. Those provide the stability and greater planning horizons that everybody in local government has sought for many years.

The reorganisation of local government in 1995 shortened the term of councillors to three years. That is widely regarded as a mistake. It does not provide sufficient time for councils to plan properly, to develop policy properly or to deliver the service improvements that they and many others want. The proposal for a four-year mandate was widely supported in the consultation that we held earlier this year and the Local Government Committee supported it. I believe that that support was cross-party. We believe that the measure is sensible and look forward to the Parliament supporting it.

The second main provision is to make council elections coincide with ordinary elections of the Scottish Parliament. I stress the word “ordinary”. I will explain more about that shortly. Coincident elections took place with the 1999 Scottish Parliament elections. Despite the reservations that many had in advance of that exercise, it was judged a considerable success. We want to consolidate that success and build on it for the future. The 1999 elections achieved a significant improvement in the number of votes cast for councillors, from an average of somewhere in the region of 40 per cent during 1975 to 1995 to an average of almost 60 per cent throughout Scotland in 1999.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Does the minister concede that the increase in votes cast at the local authority election was not because of greater voter interest in that election, but reflected the fact that voters happened to be in the polling booths for other purposes and so filled in the extra ballot paper?

Peter Peacock: I am not sure that we can get into the mind of every voter in Scotland. The fact is that significantly more votes were cast for councillors in 1999 than in the recent past. That must improve the democratic legitimacy of councils. I will return later to Scottish Parliament

elections taking place on the same day as council elections and the same number of people casting votes in the parliamentary election.

Tommy Sheridan (Glasgow) (SSP): Given the logic of his argument, does the minister agree that if, in 2003, there is a lower turnout across Scotland—although I hope that there will not be—he will have to accept that in many respects the turnout in local elections has been dragged down?

Peter Peacock: No. I hope, like others in the chamber, that there will be an increased vote for all levels of democratic elections. However, the important point is the coinciding of the parliamentary and local government elections. I will come back later—and in my summing-up speech—to the points that have been raised.

The increase in voting figures for council elections is a considerable achievement, which should not be underestimated. That achievement is at the root of the proposal for coincident elections, turnout at which will give mutual legitimacy to councils and Parliament and will enhance the prospect of mutual respect between the tiers of government. Coincident elections will also help to achieve the parity of esteem between the tiers of government that people seek and will strengthen the legitimacy of local government and the local democratic mandate. The measure also has the clear support of Scottish councils—two out of three support it—and is supported by the Local Government Committee, albeit on a division.

I am sorry that the Opposition parties do not feel able to support the measure. In my summing-up speech, I will pick up any points that they raise. There is still time for them to come on board and support this sensible measure and I invite them to do so.

The bill provides for a ministerial power to coincide council elections with extraordinary elections of the Parliament, but in limited circumstances. We have changed the proposal since the consultation and after discussions with the Local Government Committee. Concerns were expressed that the original power to ministers was too widely drawn. The bill has been changed to ensure that ministerial power is available only for a limited period, when elections are so close together as to make it sensible to combine them.

The bill defines a relevant period for that purpose. It begins on 11 March, which is the date by which councils must set their budgets, and runs to the normal date for a Scottish Parliament election or to the date of a Scottish Parliament election as varied by the Presiding Officer within his limited powers in that respect.

The third main provision in the bill is for ministers to be given power to approve pilot schemes that are designed to modernise the

voting experience and assist with improving turnout. There are also powers to roll out successful pilots to other councils in Scotland, if it is shown that they will bring benefit throughout the system. The provision is new and is a response to points raised during the consultation period. It gives ministers similar powers to those in England and Wales and we believe that it is a sensible measure.

Mr Murray Tosh (South of Scotland) (Con): I believe that councils in England in Wales can experiment with holding elections on different days, in particular Saturdays, but I presume that that will not be possible under the bill. Does the minister think that that might operate against his intention to maximise local government election turnout?

Peter Peacock: The scope of the bill empowers ministers to consider any proposal that local authorities produce. I am not clear that the bill will rule out the possibility that Mr Tosh mentioned—we might be free to consider it. If that is the position, I am happy to investigate the matter further. Perhaps Mr Tosh will expand on his point during the debate.

Mr Tosh: I do not understand. The minister seems to be holding out the possibility that, in some council areas, there could be a vote in the Scottish Parliament election on a Thursday and a vote in a local authority election on the following Saturday. The minister's position seems to be anomalous.

Peter Peacock: I thought that the member was talking about by-elections, for which such experiments have been conducted in parts of England and Wales. We expect a number of councils to experiment with pilots, principally in by-elections. They will not be prevented from experimenting with coincidence with the Scottish Parliament election, although in that case there would be a clear problem and the minister would take that into account in considering such schemes.

The current procedures for voting are not the most modern of consumer experiences. As members have experienced, one can wander into a draughty village hall anywhere in Scotland and find a person sitting behind a trestle-table doing their knitting or reading a favourite novel while waiting for voters to arrive. One's name is then scored off a list—usually with a ruler and pencil—the ballot paper is stamped with an ancient machine and one walks into an upturned orange box. The system is so trusting that the pencil that one uses to cast the vote is tied to the wall. After leaving the ballot booth, one moves to the ballot box, which probably has not been painted since 1945, casts one's vote and leaves the hall.

That is not the most exciting of modern consumer experiences, which is why we want councils to be able to improve the administration of elections. As Murray Tosh indicated, in England and Wales there have been experiments with postal voting, new electronic means of casting votes, weekend voting and mobile polling stations. We are monitoring the results of those experiments. We do not want to limit the suggestions for pilot projects that councils may want to make to us. I am grateful to the Local Government Committee for its support for this new element of the bill.

I have outlined the main provisions of the bill. At a meeting of the Local Government Committee, Iain Smith helpfully pointed out a lack of clarity in relation to the bill's effect on the procedures that are to be followed when a vacancy occurs within six months of the date of an ordinary local election. At stage 2, we propose to introduce a provision that would make the application of the law very clear in that regard.

Once again, the Parliament's procedures for pre-legislative scrutiny have shown their worth. They have improved the bill significantly. The Local Government Committee's scrutiny of the bill has assisted the process greatly and I am grateful to the committee for its support for the bill. I am sure that the committee will continue its good work at stage 2.

The bill is about strengthening local government and the local mandate of councils. It is about giving councils a stable climate within which to develop, improve and modernise their services. It is part of our continuing commitment to local government, which is a key partner in delivering for the people of Scotland. I commend the general principles of the bill to the Parliament.

I move,

That the Parliament agrees to the general principles of the Scottish Local Government (Elections) Bill.

09:41

Tricia Marwick (Mid Scotland and Fife) (SNP): Central to this bill is the assertion by ministers that only increased turnout in local government elections will increase democratic accountability, even if that increase is artificially manufactured. That is why the Executive claims that we need to synchronise the local government elections and the Scottish Parliament elections, which would mean postponing the 2002 elections.

If 100 per cent turnout conferred on local government complete democratic accountability, we would not today be discussing a bill to synchronise elections. Instead, we would be discussing a bill that would make it compulsory for every adult over the age of 18 to vote. We are not

doing that, and I do not argue that we should.

The experience of 1999, when the Scottish Parliament elections were held on the same day as the local government elections, was that local government issues were not discussed. Indeed, all the Scottish Office propaganda material ignored the fact that local government elections were taking place.

Keir Bloomer, chief executive of Clackmannanshire Council, told the Local Government Committee:

"Local government is an important part of the constitutional framework. The existence of separate elected bodies with their own democratic mandates at national and local levels is a critical component of any pluralist society."

The SNP is committed to the objective of increasing voter turnout at local government elections. To ensure higher voter turnout, it is important that local government should be seen as relevant to the people whom it serves. The idea that artificially manufacturing turnout confers legitimacy is grossly misguided.

After a year of consultation, Kerley concluded:

"higher turnout could not be claimed as an increased democratic mandate for local government".

What we need is an examination of the record of local councils and councillors and whether they have delivered for their communities. With synchronised elections, those issues will not be examined.

Nobody in this chamber or beyond can reasonably argue that local council matters will even surface when Scottish Parliament elections are taking place. People can vote differently in Scottish Parliament and local government elections. They did so in 1999 and they will do so again. Their decisions in such elections would be taken without a full debate on or examination of local issues.

The bill shows how little esteem Labour has for local government in Scotland. Local government is not an extension of central Government. It is not there simply to implement the policies that are dictated by the Government of the day. It has a responsibility to be relevant and to serve the people of particular local areas.

We cannot begin to talk about relevance and legitimacy unless we deal with the one-party states that besmirch much of Scotland. What is missing, of course, is proportional representation for local government elections. PR for local government would ensure that every vote counted. It is obscene and, frankly, Stalinist for one party to gain 94 per cent of the seats on the basis of only 46 per cent of the vote. That system will continue unless we create the open, transparent and accountable Scotland that some of us aspire to.

That can be realised only through PR, which would ensure that every vote counts and that the electorate gets the council that it votes for. However, the bill is not about PR or about conferring legitimacy.

Bill Butler (Glasgow Anniesland) (Lab): Tricia Marwick makes an interesting point. She seems to be saying that the use of PR leads to greater voter turnout, but what about the European elections? Would she care to comment on that?

Mr Kenneth Gibson (Glasgow) (SNP): Scotland is only one constituency.

Tricia Marwick: Thank you, Kenneth. The problem with the European elections is that people do not think that they are relevant. The fact that Scotland is only one constituency led to the low turnout more than anything else did. The problem is not PR, but the manufactured way in which the elections came about.

Mr John McAllion (Dundee East) (Lab): Is it not the case that the real reason for the low turnout in the European elections was the fact that supporters in the Westminster Parliament of the first-past-the-post system introduced the closed-list system for the European elections, to put off voters deliberately? That is what the Westminster Parliament meant to do in the first place.

Tricia Marwick: I can add nothing to John McAllion's comments other than to agree with them entirely.

As I said, the bill is not about PR or about conferring legitimacy. It will not make local government more accountable and the SNP will oppose it at decision time.

I have quoted McIntosh and Kerley on many occasions in the past few days. I make no apology for doing so again, because the minister said that the bill has wide support when, in fact, that is not the case.

McIntosh and Kerley recently examined local government. McIntosh said:

"We recommend ... that the local government elections should be timed to take place at the mid-point of the Parliament."

Kerley said:

"separate elections would ensure that local government issues are at the heart of local government elections: this seems to us an essential part of democracy and democratic renewal."

The events of recent weeks have thrown into question the democratic legitimacy and practices that surround some of the worst examples of Labour fiefdoms. In many areas, there is a perception that matters are unclear. There should be an examination of the quango-council-Labour party network. Now, more than ever, there is a

desperate urgency for matters to be clarified and made open and transparent.

I turn briefly to the measures in the bill that have found our support. We support four-year terms for councillors and the pilot voting schemes. However, it must be noted that the pilot schemes that may be trialled, to which the minister referred, will be trialled only for local government elections. They will not be trialled for the Scottish Parliament elections that are to take place on the same day. In other words, people might be able to go to their supermarket to vote for their local councillor, but they will still have to find a polling station to vote in the Scottish Parliament election.

Alasdair Morgan: Ridiculous.

Tricia Marwick: I think I heard "Nonsense" from behind me. [*Laughter.*] They were referring to the nonsense that the Executive is proposing.

I have said that the SNP opposes the bill. An imperative has been placed on every MSP and on all elected members of Scottish councils to engage in the debate, to explain and to do everything in our power to encourage increased voter participation. The bill is not the way to do that, and no one in the chamber should pretend that it is.

09:49

Mr Keith Harding (Mid Scotland and Fife) (Con): The Scottish Executive's decision to postpone the next council elections to 2003, so that they coincide with the next Scottish Parliament elections, is an affront to democracy. The Scottish Tories can support four-year terms and the piloting of innovations to improve turnout in local elections, but we must oppose the principles of the bill, because of the plans to synchronise elections.

Labour and the Lib Dems want to smother the council elections under the cover of darkness—that is, the Scottish Parliament election—to prevent light from shining on their appalling record of failure in councils throughout the nation.

Alasdair Morgan: Will the member give way?

Members: Go on.

Mr Harding: I will give way in a moment—let me get a bit further into my speech.

To evidence my point, we need only reflect on the three council seats that the Scottish Tories have won from the Executive parties during the past two months.

How can local issues be highlighted and councils made more accountable if local government elections are treated as a mere sideshow to the Scottish Parliament elections?

The McIntosh commission and the Kerley working group agreed that local government elections needed to be held separately if council matters were to get proper prominence. McIntosh and Kerley recommended four-year terms for the very good reason that that would help councils to plan ahead and deliver policy priorities more effectively. Such a measure can play its part in ensuring efficient financial planning and give a reasonable time over which the electorate can judge an Administration's actions. McIntosh also said that the elections should be midway between Scottish Parliament elections to give local issues independent prominence.

Let us look at the history of the bill. The Government set up the McIntosh commission to look in detail at electoral issues. The report of the McIntosh commission concluded:

"We do not however think that local government elections should be held at the same time as the parliamentary elections: although that might produce a higher turnout, it does also mean that the local elections would tend always to be held under the shadow, as it were, of the parliamentary election and that national issues will dominate local elections even more than they tend to do whenever those elections are held. The result is to weaken the democratic mandate of local government ... **We recommend therefore that the local government elections should be timed to take place at the mid-point of the Parliament.**"

In the Executive's response to the report of the McIntosh commission, the Executive noted that the issue would be further complicated by the views of the Kerley working group, which would need to be carefully considered. The Executive even acknowledged that

"parties campaigning in a national election tend to have little time or resources to spare for a distinct local campaign."

By implication, the Executive conceded that the elections should be held on separate days.

So what did Kerley say? In paragraph 100, Kerley states:

"the higher turnout could not be claimed as an increased democratic mandate for local government: it would not bring additional voters to the polls because of their involvement in local government issues. In fact, coincident elections"—

I think he means coinciding—

"would tend to reduce the electorate's focus on local government issues. Conversely, separate elections would ensure that local government issues are at the heart of local government elections: this seems to us an essential part of democracy and democratic renewal."

Even though Kerley argued for and McIntosh recommended separate elections, the Scottish Executive has ignored its own advice. Why did the Executive set up those supposedly high-powered committees—at vast expense—if it was simply going to ignore such a crucial recommendation?

Tommy Sheridan: I thank the member for giving way. I am pleased that he has referred to the recommendations of both those eminent committees. Does his party agree with their other recommendations on PR?

Mr Harding: Like other people, we are setting out a timetable to discuss the issue.

It seems that the Executive's initial view, which tended towards separate elections, changed only when Labour councillors, who favour hiding their poor performance, argued for larger turnouts from combined polls. Despite what the minister said, the results of the consultation on the bill give no more than lukewarm support for combined elections. In the main, the support for combined elections comes from councils in which the Executive parties have a majority. No wonder the public are cynical about politicians.

If the minister was truly concerned about local government, he would scrap the plans and continue to hold council elections at a separate time, so that the real issues and choices that face electors could be properly aired and debated. The only people to benefit from synchronised elections will be Labour and Lib Dem councillors. As with quangos, the Scottish Executive is putting cronyism in local government before democracy. We will oppose the bill.

09:54

Iain Smith (North-East Fife) (LD): Before we talk about the detail of the bill, let us be clear what the bill is about. The bill is about changing the timing of elections. Its primary purpose is to bring in a four-year term for local government, which is what the whole of Scotland wants.

Tricia Marwick: Will the member give way?

Iain Smith: Not yet. Give me some time to get started.

When the Conservatives attempted to destroy local government with their reforms, they reduced the term of Scottish local government to three years. Nobody understood why they did that. Even the Conservatives do not now understand why they did that. It is important that we get back to the four-year term. I would be interested to hear how the Conservatives and the SNP, who say that they would prefer a four-year term with elections at the mid-point between Scottish Parliament elections, propose to do that.

Mr Harding: May I reply to that?

Iain Smith: Mr Harding will have time to reply in his summing-up.

Do the Conservatives want another three-year term for Scottish local government before it can move on to a four-year cycle? Or, like us, do they

want to move Scottish local government to a four-year cycle right away?

The biggest controversy in the bill is to do with the timing of elections, which is the main point of debate.

Tommy Sheridan: If Mr Smith is saying that the most important feature of the bill is the four-year cycle, he will surely accept that elections do not have to be coincident.

Iain Smith: I am about to discuss the timing. I have said that the most important thing is to move to a four-year cycle; we now have to discuss when the elections will take place. They have to take place at some point—they must either coincide with Scottish Parliament elections or not coincide with them. The arguments are not clear-cut. The matter is not simple. We cannot say that one idea or the other is definitely right. There has to be a balanced discussion.

McIntosh took his evidence before we had even had the experience of the 1999 elections. Much has changed since then. In evidence, the Local Government Committee heard that, of the 25 councils that responded to the second consultation on the issue, 21 now support coincident elections. That is different from the situation when McIntosh took his evidence in 1998.

Tricia Marwick claimed that local government would not feature if elections were coincident; she felt that local government would be ignored, but no one has presented any evidence to justify that claim. The committee heard no evidence to back it up.

Tricia Marwick: Does Iain Smith agree that, in the 1999 joint elections, the propaganda issued by the Scottish Office did not even mention the local government elections? How much more evidence does he need?

Iain Smith: That is not evidence that electors did not take account of local factors when voting in the local government elections. There is clear evidence that people voted differently in the different elections that took place at the same time.

In written evidence on the draft bill to the Local Government Committee, John Curtice wrote:

“According to the 1999 Scottish Parliamentary Election Study/Scottish Social Attitudes survey, 28% of those who turned out in 1999 voted for a candidate of a different party in the local election than the one they supported with their first vote in the Scottish Parliamentary election.”

A total of 28 per cent—more than one in four voters—voted differently in the local elections from how they voted in the Scottish Parliament elections. That does not suggest to me that people were not taking account of local factors.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Does the member agree that the results in 1999 in Morayshire and Perthshire indicated exactly what he is suggesting, and that that is precisely why the SNP opposes the bill?

Iain Smith: Mr Stone has anticipated my next point. If we consider the evidence in many areas, we see that electors did indeed take account of local factors. They kicked out of office councils that they considered to be bad—such as those in Perth and Kinross and in Moray—but voted differently in the Scottish Parliament elections. There is also significant evidence from local elections in England and Wales, which quite often coincide with UK general elections, that people vote differently in the two elections and take account of local factors.

Another point is this: if local government elections had been held mid-term, they would have coincided with the UK general election. The chances are that that would happen often, because the UK elections now tend to be on a four-year cycle, even though they do not have to be.

Tricia Marwick: Will the member give way?

Iain Smith: I am sorry—I am in injury time.

It is important to bear in mind the fact that it does not really matter whether local elections are at the same time as the general election or at a different time, because national coverage of local elections is abysmal at any time. Local elections do not get the coverage they deserve. It is local campaigning that makes a difference to results in local elections. In local elections, our party will continue to campaign vigorously on local issues, irrespective of whether the elections coincide or not. Other parties may choose to do things differently, but our party believes strongly in fighting local elections.

Mr Gibson: Will the member give way?

Iain Smith: I am sorry, but I am just about to finish.

I welcome the changes that were made to the draft bill in relation to extraordinary general elections. An important point, which justifies the limited power that remains for ministers to coincide elections within a strict period, is that evidence suggests that when local elections are held shortly after a general election, the turnout is extremely low. That was the experience in 1992 when the district council elections were held one month after the general election.

I welcome the proposed pilot schemes. It is important that we examine the rules for Scottish local government elections to try to ensure that, wherever possible, they are exactly the same as the rules for Scottish Parliament elections. Several

issues need to be addressed, such as bringing the local elections into line with the Representation of the People Act 2000, which affects the Scottish Parliament elections. We need to work with the Scotland Office to ensure that, if the experiments and pilots for local elections are positive, it will consider allowing such pilots for the Scottish Parliament elections. Tricia Marwick's comments on that point are most valid.

The Deputy Presiding Officer: We move to open debate.

10:01

Trish Godman (West Renfrewshire) (Lab): As members know, the Local Government Committee is the lead committee on the Scottish Local Government (Elections) Bill. Our scrutiny has been wide-ranging—consultations have been held with local councils, returning officers and others. The committee heard from several witnesses and received what appeared to be mountains of written evidence.

There was unanimous support for an extension to a four-year term for councils. There was also support for the pilot schemes, albeit with some serious reservations. However, the committee had to put to a vote the question on synchronised elections—a rare event for the Local Government Committee. There were considerable differences of opinion and powerful arguments were made both for and against synchronising elections. Some of the arguments in favour, such as evidence of a high turnout, have already been noted. The arguments against synchronising elections include the possibility that the electorate would vote on national rather than local issues, and that the level of interest in local issues would be lost, which would contribute to, rather than alleviate, a democratic deficit. However, there was also conflicting evidence to suggest that no matter when local elections are held, a certain number of people will vote on national issues anyway.

I cannot agree with those people who say that the Executive's bill is an attempt to hide local government's record and to save the Executive from embarrassing local election results before we go to the polls for the Scottish Parliament elections. That is absolute nonsense and is not what the bill is all about. I am prepared to shout from the rooftops about the good practice in local government and to engage with those councils that are perhaps a little slower in modernising their practices and procedures. All the councils have signed up to the modernising government agenda—some of them are doing it more quickly than others.

We had 18 years of a Tory Government that was totally opposed to delivery of services at local

level. In 1995, the Tories reorganised local government and, because of the success of bodies such as Strathclyde Regional Council, which filled the Tories with fear, they resorted to some gerrymandering, which in the end did them no good whatsoever.

We are dealing with a mature electorate who can make two clear judgments on the same day. As Iain Smith said, there is evidence from the 1999 elections to prove that. To say that the electors are not capable of that distinction is sheer arrogance. However, I agree with Tricia Marwick that we must be sure that all the information that is given to electors reminds them that they have three votes, not two. That point was made very clear in the committee's scrutiny and we will continue to pursue it.

The provision that relates to extraordinary elections should not have been in the bill in the way that it was. The minister has addressed that.

Tommy Sheridan: On the flow of information, does the member agree that by 2007 there should also be clear information on the three different voting systems that will be applied?

Trish Godman: Electors should be given all the information that they need. There is no doubt that there was a grave error in the run-up to the 1999 elections, when people were told that there were two votes rather than three.

We must examine ways and means of encouraging higher voter turnout. We should do everything in our power to encourage voting at all elections. A more productive approach might be to examine the way that legislatures and councils relate and involve voters every day, rather than just on polling day. However, that is not for this bill, and neither is PR. This is a bill about administration, not systems.

I have a question for the minister, which has been asked already. If we have a pilot scheme to allow voting for a council election to take place in, for example, Safeway, we must not then ask those who wish to vote in the Scottish Parliament election on the same day to go to their local school. That would be absolute nonsense.

Another problem is that the next elections in 2003 will take place on a bank holiday weekend. Most vote counters are bank workers. With my trade union hat on, if I had to work on a holiday, I would fight for double time. That is fair enough. If there is a significant extra cost to councils, the Executive should pay that cost, given that this is an Executive bill. The other question that has to be answered is when the votes will be counted. Again, that may mean extra work.

The Local Government Committee has been assured that all the administrative difficulties can

be overcome, but I am sure that there will be amendments at stage 2. In the meantime, I support the bill and I urge Parliament to support its general principles.

The Deputy Presiding Officer: If members keep to four minutes, I will be able to get everyone in.

10:06

Ms Sandra White (Glasgow) (SNP): This afternoon we will be asked to rubber-stamp our new First Minister—a First Minister given a shoo-in with the help of his friends in the Liberal Democrats, and for what? A promise to make progress on progress on PR. If the Liberal Democrats were serious, they would have had PR included in the Scottish Local Government (Elections) Bill. What price democracy?

This morning, we are being asked to vote on synchronised elections for local government. That would undermine local government, and greatly diminish the local issues at the heart of our local government democracy. Once again, the bill will be pushed through with the help of Labour's little helpers, the Liberal Democrats.

Hugh Henry (Paisley South) (Lab): Can Sandra White tell us in which years the next two sets of Scottish local government elections would take place, under her proposals?

Ms White: Certainly. I was going to clarify that. We would do the same as the Welsh Assembly, and put back the local government elections to 2004 or else hold them in 2002. Does that satisfy Hugh Henry? We certainly would not synchronise local government elections with the Scottish Parliament elections—a proposal that is being desperately pushed through with the help of Labour's Liberal Democrat helpers. I wonder what they got this time. Perhaps it was a new ministerial car.

Let us examine the policies in the bill. The bill proposes a four-year term for councils. That is fine; we agree with the four-year term. As the Deputy Minister for Finance and Local Government said, we need a four-year term to plan ahead and sustain local government. That is vital and welcome.

Pilot schemes to examine new and innovative ways of getting people—particularly disabled people and the disadvantaged—to polling stations have been mentioned. We welcome that. Capability Scotland's briefing paper outlined the need for access for all. But do we need elections to be held on the same day? No, we do not. Many members have mentioned that in their speeches.

Many statistics have been bandied about. Iain Smith mentioned raising the voter turnout figures.

In response, I say that the Welsh Assembly has put back local government elections to 2004 to prevent them clashing with the Welsh Assembly elections. Iain Smith should note that.

As I said, we do not need the elections to be held on the same day. As has been said many times, there is a great danger that local government elections will be swamped by national issues. That would not be good for local democracy.

Trish Godman referred to the counting of votes, with which there is a problem. Will counts be done simultaneously? Will they be done on the same day or on different days? Who will do the counting? Will counters be paid overtime? Will we have counter fatigue? We do not know. The minister must answer those questions and answer them quickly.

People will go along to polling stations and have PR for one election, no PR for another, and half-and-half PR for the Scottish Parliament elections. That must be examined. People will wonder what is going on. They may go to the supermarket to vote, but they will have to go somewhere else to vote in the Scottish Parliament elections. That is not clear enough for those people who wish to vote. It will be confusing for everyone.

The Scottish Local Government (Elections) Bill will introduce synchronised elections, allegedly with the aim of increasing voter turnout. I do not think that turnout will increase. The best way to increase turnout is to have good government, not to undermine local government.

10:10

Mr Murray Tosh (South of Scotland) (Con): Presiding Officer, I should read my party's instructions more carefully—I thought that I was closing the debate. That means that my speech, which was prepared in three minutes, might not be as fluent as I would wish. I will do my best—I know that Alasdair Morgan always appreciates that.

As Keith Harding said, we accept parts of the Scottish Local Government (Elections) Bill. We have reflected on the issue of three-year terms as opposed to four-year terms and we accept that the three-year term was an error of judgment. The restoration of the original four-year term is therefore an improvement on existing practice. We are happy to support that.

Given that, at times, we are quite a radical party, we are perfectly content to consider the issue of experimenting with pilot schemes for elections. Clearly, there have been legitimate concerns about the turnout for all elections. It is appropriate for us to experiment with voting in different places, in different manners and on different days. Earlier,

I was a bit startled by the minister's indication that the pilot schemes would extend only to local government by-elections. Presumably, however, there is an intention that if positive lessons are learned from that, they might be applied in other areas.

However, from the point of view of experimentation and building quickly on the results of that experimentation, it might have been better if we had not had synchronisation of local authority elections. It is clear that, under the intentions of the bill, it will not be possible for a council that experiments successfully with Saturday voting in by-elections to move to Saturday voting as a general principle. In some respects, therefore, the synchronisation of the two elections undermines the scope for experimentation and pilot studies in electoral practice, which is a considerable pity.

I sympathise with the minister's point about enhancing the mandate of local authorities by increasing turnout. Increased turnout is clearly a positive thing. I am not sure that I agree that there is such a thing as an unnaturally enhanced turnout; increased turnout has to be good, however it might happen.

I come from a local authority background; I was a councillor for Kyle and Carrick. During my time there, and subsequently in South Ayrshire, as Dr Murray will know, the area typically had a relatively high turnout in local authority elections. It was normal to find wards where the turnout in local council elections exceeded 50 per cent, and not at all unusual for some wards to exceed 60 per cent, because there was a high level of interest in local activity. Dr Murray is pointing out that she was elected on more than 60 per cent of the vote—I do not know that she got more than 60 per cent of the vote, but there was 60 per cent turnout in her ward.

High turnout is a positive thing—it is something that I find quite natural and it does not worry me politically. From a partisan point of view, we do not regard high turnout in local elections as a disadvantage. Indeed, in the last South Ayrshire Council elections—when there was a relatively higher turnout at the coincident elections—my party advanced from four seats out of 25 to 13 seats out of 30. We are happy to think that the higher turnout brought out more of our vote on that occasion.

It is possible to get high turnout in local authority elections by vigorously contesting the elections on local issues. With all due respect, I am not talking about Perth and Kinross Council and Moray Council—I do not think that the circumstances of those councils are necessarily analogous to those of central Scotland. Their elections are heavily influenced by independent candidates and strongly local issues and not by the sort of partisan

politics that are prevalent in the central belt.

The fact that turnout in some areas is low while turnout in other areas is high might be a reflection on the way in which we have all conducted politics in some areas. In the course of the study, it would have been interesting if the Executive could have identified some of the reasons for that.

Iain Smith: Is turnout lower in some areas because people think that the result is a foregone conclusion and that there is little point in voting? Does the member agree that, if we introduced proportional representation, people would have a real chance to have a say and therefore turnout would increase?

Mr Tosh: I accept that there is an argument to be put on that. I find it surprising that the Liberal Democrats' enthusiasm for proportional representation apparently extends until 2007, when they could—if they did not support the bill—introduce a 2005 deadline. If local authority elections were to be held in 2005, the Liberal Democrats would have time to implement the cast-iron guarantee that I understand that they have received from Jack McConnell. I am glad to see mirth from Labour members, because they understand better what is likely to happen.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Does Murray Tosh realise, in his enthusiasm, that if the Conservatives changed their mind on proportional representation, an absolute majority in the Parliament would support PR?

Mr Tosh: I am afraid that we Conservatives are still too excited about the recent local authority by-election in Aberdeenshire, which we managed to turn largely into a referendum on the local MSP and where we won a seat from the Liberal Democrats, which took away the majority on Aberdeenshire Council.

Mr Rumbles: Go on, Murray.

Mr Tosh: I risk saying something more personal than I have already, so I had better move on.

My difficulty with the bill stems from my experience of vigorous local elections, which are desirable. I regret the absence of such elections in many local authority areas. I am worried that the bill will, in effect, nationalise local elections, because it will make it much harder to focus on local issues. That is unhealthy for our local democracy.

I thought that we could run with the Kerley and McIntosh proposals and find out the effect of properly timetabled and staggered elections over a reasonable period. The Executive has rushed to judgment on an issue that might have been dealt with better from experience than from the genuine motivation behind the bill—the calculation that

parties in power do rather better if they avoid mid-term local elections and have them held on the same day as that on which they hope to win a parliamentary election. That rather undermines our democracy, despite some of the good intentions that the minister evinced. We will oppose the bill.

The Deputy Presiding Officer: Before I leave the chair, I will comment on the point of order that Michael Russell raised at the start of today's proceedings, about Iain Duncan Smith's visit to Parliament today.

I have made inquiries. The press notice was issued by the Scottish Conservative and Unionist Party. It does not refer to a press conference, but says that Mr Duncan Smith will be available to speak to the media in the black and white corridor. That is in line with arrangements that have been made for other distinguished visitors to the VIP gallery—especially those who are doing live interviews. Arrangements have been made through the usual channels to ensure that the visit will not interfere with the timing of another event later today.

Mr Russell also talked about reciprocal links with Westminster. We have the openness of the black and white corridor, and Westminster has St Stephen's green. Any Scots leader who goes to Westminster can appear on St Stephen's green too. I hope that that is clear.

Mr Tosh: On a point of order.

The Deputy Presiding Officer: I feared that this would happen.

Mr Tosh: Will you offer Mr Russell guidance about the continued attendance in the chamber of a member who raises a point of order and expects an answer?

The Deputy Presiding Officer: Yes. I shall give Mr Russell a slight slap in that respect.

10:18

Dr Sylvia Jackson (Stirling) (Lab): I thank the Scottish Parliament information centre for its research paper on the bill, which is informative, particularly about the pilots that have been undertaken in England. We can continue to discuss those further.

As members have said, the bill concerns the timing and administration of elections. It does not deal with voting systems. The minister and others have listed the bill's aims, so I will not spend time on those. As has been said, discussion in the Local Government Committee centred on whether elections for local government and for the Scottish Parliament should be synchronised or, if the elections were to be held at alternative times, whether there should be mid-term elections for

local government, which have been mostly suggested. I will return to that.

Other discussion has concerned how to ease the administration of the two elections by harmonising election procedures—by aligning legislation, for example—and by deciding on the best way of counting and declaring the results of two elections. The general feeling that I picked up is that, in most areas, that would be done over two days.

I turn now to the evidence. What does the Scottish Executive and local government consultation show? First, there is agreement about the four-year term for local council elections. Secondly, although the Local Government Committee could not reach consensus on the question of synchronised polls, the committee received feedback that 19 out of 25 councils and 18 out of 21 returning officers supported synchronised elections.

The Local Government Committee recognised that strong arguments existed on both sides. Points were made by Keith Harding about McIntosh and mid-term elections. However, as Iain Smith said, and others told us, we also recognised that things have moved on since the McIntosh report.

Keith Harding made a point about Kerley, but I understand that, on balance, Kerley was for synchronised elections. The minister mentioned that, because of increased turnout, synchronised elections would strengthen councils' democratic legitimacy and the evidence for that is clear. Against that view is the great concern, which is the SNP's main argument, that local government issues would be overwhelmed by coverage of parliamentary elections and would become secondary to Scottish Parliament election issues.

It is important that we do not lose sight of one of the statements that was made by Keir Bloomer of Clackmannanshire Council, who made the case for mid-term elections. He also said that the bigger issue was that

"the elected bodies are somehow out of touch with the needs of ordinary people and that politics is failing to address the issues that concern people."

Murray Tosh spoke about issues that are more important than just whether elections should be held on the same day. We have to address those bigger issues.

Another issue that was raised during the committee's discussions was the administration of elections. The minister reported that a working group of Scottish Executive and Scotland Office officials had been set up to examine all aspects of election administration, including publicity. That issue was one of our main concerns, and I quote:

“the Committee would wish to receive more detailed assurances from the Deputy Minister that specific action will be taken to ensure that the electorate receives sufficient information to make voters aware that local government elections are being held on the same day as the Scottish Parliamentary elections.”

That is, that three votes are to be cast and not two, as was indicated in the 1999 election, and that message must go out loud and clear. Better publicity is required.

The convener of the Local Government Committee mentioned pilots. Voter confusion may become an issue if the pilots are held for local government elections but not for Scottish Parliament elections. That point was well made. Who will pay for the pilots? The committee is looking for more information on that question.

The Deputy Presiding Officer (Patricia Ferguson): The member should wind up.

Dr Jackson: The Society of Local Authority Chief Executives and Senior Managers made a point about finance:

“Notwithstanding the current requirement placed on councils to support the administration of elections, consideration should be given to the sizeable drain on councils’ finances caused by the cost of staff time over and above the B4 limits.”

SOLACE also mentioned the need to provide better facilities at counts and, as I have said, remuneration for staff.

The Equal Opportunities Committee was keen that we include in our report the point about improving accessibility for certain excluded groups. We supported that request. The Equal Opportunities Committee also raised the need for disability awareness training.

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

Dr Jackson: Specific sub-groups must be looked at. We must not simply look at an increase in overall numbers when we examine the question of voter turnout.

10:24

Colin Campbell (West of Scotland) (SNP): I understand what the minister wants to achieve, which is larger turnout for council elections. However, I have serious reservations about the means of achieving that goal. A large turnout tends to benefit the party in power, or the one that is most likely to succeed nationally. On the morning after the count for the Scottish Parliament elections, I was at Paisley town hall at the count for the local government elections. A local Labour convener remarked to me that that was exactly what was anticipated as a result of having coincident elections.

There will, of course, be a day when the SNP will be the top political party and coincident elections will work against the Opposition parties of the day. We should worry about the precedents that we set, because sometimes they come back to haunt us. From that point of view alone, separate elections are a good idea.

In council wards, candidates try to focus public attention on their solutions to housing, social tenants, green belt issues, proposed school closures, holes in the road, lack of police and the siting of dog litter bins. All those issues are of great day-to-day importance to the ordinary people of the country who are trying to get a fair deal and live a decent life, but the local issues are completely overshadowed by national elections and the razzmatazz that goes with them. High-cost advertising, the fevered press speculation of election time and head-to-head television debates all take up public attention.

Bristow Muldoon (Livingston) (Lab): On Mr Campbell’s point about the possibility of parliamentary elections dominating local issues, what does he advocate should happen in a year when a general election coincides with council elections? Would he propose to cancel the council elections?

Colin Campbell: Council elections traditionally take place on a slightly different date to the general election. A general election is a moveable feast in the United Kingdom. It would be perfectly feasible to structure local authority elections in mid-term for Scottish parliamentary elections. As for the UK elections, in the fullness of time we will not be indulging in those.

Although voters are perfectly capable of distinguishing between their local and national loyalties, which may or may not be the same, the coincidence of national elections with council elections makes the council candidates’ task much harder. It is difficult enough for some parties, such as those of our colleagues on the Tory and Lib Dem benches, to find sufficient candidates for council elections without them being forced to compete with, and be almost wholly swamped by, national politics.

For genuinely independent candidates—I do not know many of those, because they do not operate in the west of Scotland—the situation is even worse, because they lack the compensatory elements of joint planning and mutual support of council and national campaigns that are available to political parties. However, the major difficulty lies in information overload—real or imagined—for voters. How often in an election campaign have we heard people complaining that they see politicians only at election time and that they are sick of politics and television? A candidate may be campaigning for their council election, but get

zapped with the national election campaign. People are sick of having leaflets put through the door and will not take leaflets on the street because they have had it up to here with two elections.

Separate elections would diminish the overload and encourage the electorate to take a more informed view and focus in a more relaxed way on separate sets of issues. Together with the other suggested measures, they would encourage fuller participation in the democratic process.

10:28

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When I was first elected to Ross and Cromarty District Council in 1986, it was on a 33 per cent turnout, which was not great. Some would say that it was an awful thing that I ever appeared at all. However, in subsequent elections I managed to sweat it up to about 53 per cent. Despite what Murray Tosh said, in general the turnout for local authority elections in Scotland is deplorable. If anyone tries to defend that as an example of democracy working, they are up a gum tree.

What the SNP is really saying is that it is scared of a high turnout. We saw what happened with the high turnouts in Morayshire and Perth and Kinross. Make no mistake colleagues, that is the agenda on the SNP benches. They are feart. They do not like a proper battle. Quite frankly, anyone who says that a high turnout is not a good thing is barking—the higher the better. As Murray Tosh said, by whichever means we get there, high turnout is a good thing.

Tommy Sheridan: We should not get carried away with ourselves. We are talking about a turnout in 1999 of 59 per cent. Does the member accept that, compared with elections in Europe, that is not a high turnout?

Mr Stone: It is a whole lot better than turnouts that we have seen in previous years for local authority elections. I have to tell Mr Sheridan that there has been some talk about the independents. In the Highlands, the high turnout was widely welcomed by councillors and candidates alike. The independents did not suffer at all. Nor, for that matter, did the nationalists. It was democracy speaking. I just want to underline that point.

Murray Tosh more or less agreed with what the Lib Dems and Labour are saying in the bill, but he had to say what he said for party political reasons, which I accept. Really, Murray ought to take the plunge and cross over to us. He would have a very happy home here.

Mr Tosh: I am sure that I would have a happy home wherever I was. I am clearly making the point that I believe in local elections and local government and I want high turnout. However, I believe that local authority elections should, as far as possible, be influenced by and dominated by local issues and local considerations. Most experience to date suggests that we do not get that if we swamp the local authority elections with other parliamentary elections.

Mr Stone: That is absolute rubbish and Mr Tosh knows it. It is an insult to the electorate, who are far more intelligent than many members give them credit for. The very fact that people cast their three votes in three different directions—which they most certainly did in the Highlands—shows that they think very carefully. I bet that when Murray Tosh was canvassing in 1999 as a candidate for the Scottish Parliament, he was asked more often on the doorstep about dog litter bins and holes in the pavement than he was about national issues. That is certainly what we tend to get up our way.

Mr Gibson: What did they campaign on?

Mr Tosh: Those issues.

Mr Gibson: Those are their national issues.

Mr Stone: I know that this is an exciting debate, but Mr Gibson and Mr Tosh should calm themselves.

Access for disabled people has been mentioned. We all know that, for disabled people, the present situation is not acceptable. We have all seen people who use crutches or a wheelchair trying to get into some of our voting booths. It ain't great. For people who have visual impairments, it is not easy. I have heard people in the booth shouting out, "Which one do I vote for?" "You vote for Jamie Stone," I hope people say, but they do not always say that.

There is still a lot of confusion about postal votes and proxy votes and getting the form in on time. We should look again at those issues. I welcome proposals to modernise voting, but we must not have voting in a supermarket for a council by-election and voting somewhere else for the Scottish Parliament election. That is ridiculous. We must synchronise timing, methods and places of voting.

10:32

Bill Butler (Glasgow Anniesland) (Lab): I wish to speak in favour of the bill. I believe that it reflects the unanimous support of political parties and local authorities for an extension of council terms from three to four years. It meets the McIntosh committee's recommendation that a four-year term would allow councils

“sufficient time to plan effectively, to take measured decisions, to have an effective role in community planning and”—

most important—

“to permit the public to reach a considered judgement upon their performance.”

I do not think that anyone in the chamber would quarrel with that, and nor should they.

I acknowledge the fact that Tory and SNP colleagues have concerns about the coincidental nature of local and Scottish Parliament elections that the bill proposes. As someone who has about 14 years' experience as an elected member at local government level, I do not share those concerns.

Agreement obviously could not be reached on the synchronisation of polls. There is a worry that that would lead to local issues being submerged beneath national concerns. As someone who has fought and won five local government contests, I believe that national politics always impinges to some extent on local elections. That is inescapable. Unlike Tricia Marwick, Keith Harding and Colin Campbell, I do not believe that local concerns are ignored. It is my experience that the local and the national are inextricably linked in the minds of most electors, whether the elections are separate or, as is proposed in the bill, coincidental.

I am comforted by the inescapable evidence culled from the 1999 elections. One reason why I support the proposed change is that, as Jamie Stone said, after years of decline in voter turnout, from 1974 to 1999, the trend has been reversed. That can only be a good thing. Although 44.9 per cent of electors cast their votes in 1995, the figure rose to 58.5 per cent in 1999. To say that that is bad for democracy is unacceptable—the opposite is the case. However, Tommy Sheridan is right to say that turnout is not high enough. All parties must try by all possible means to ensure that the decline in voting is reversed; that should be the aim of all members.

Mr Gibson: Bill Butler wants to increase turnout. Could that be achieved by introducing proportional representation? That would ensure that every council ward is likely to be contested in Scotland. At the previous elections, 59 wards had only one candidate.

Bill Butler: I will answer Kenneth Gibson's question, although the bill is about administration rather than electoral systems. There is evidence of low turnout and high turnout both in PR elections and in first-past-the-post elections. That is an interesting debate and is still to be had. I will fight my corner in my party on the question, as will others. The process will continue and we will make progress towards electoral reform, as the coalition has agreed.

Some say that voters cannot distinguish between elections when they cast their votes—that is a worry. Professor John Curtice gave useful evidence to the Local Government Committee. He said:

“According to survey data, 28 per cent of people voted differently in the local elections from how they voted in the Scottish Parliament election, so voters do not necessarily vote in the same way in local elections as they do in parliamentary elections.—[*Official Report, Local Government Committee*, 8 May 2001; c 1897.]

The bill will help rather than hinder the drive towards broader voter participation and is therefore worthy of support by all parties.

10:37

Brian Adam (North-East Scotland) (SNP): Councillors who were elected in May 1999 were elected for a three-year term and were given a three-year rather than a four-year democratic mandate. It is anti-democratic to propose to change that.

There are all sorts of joint boards in which cosy deals—particularly between the Executive parties—have been entered into. The chairmen of those boards have rotated after 18 months. Those deals have had to be unpicked and changed as a result of the bill. Such arrangements are fundamentally undemocratic.

Hugh Henry said that, if there are to be mid-term Scottish council elections rather than council elections that coincide with Scottish Parliament elections, we need to find a mechanism for that. That is a perfectly legitimate point and the problem is not insurmountable. We can deal with that for the future rather than retrospectively change the mandate of councillors who were elected for three years.

We seem to have skated over the technical problems that arose at the May 1999 elections. The Local Government Committee has considered those problems and will undoubtedly continue to do so. The problem does not simply relate to whether people were aware that they had three votes or knew which boxes they were supposed to put their votes in; there was the shambles of the count. The fact that the count for the local authority elections was put off until the next day indicated to the local authority councillors that they were much less important. It suggested that we did not need to know the local election results; we needed to know the Scottish Parliament election results. There was a shambles throughout Scotland that day and I am not confident that we will not see such a shambles again if we continue to hold local and national elections at the same time. Local council elections are devalued by being held at the same time as Scottish Parliament elections.

Some say that local elections are held nationally anyway and that 28 per cent of people voted differently in the local and national elections. However, there is a range of candidates under different labels at local elections as opposed to at national elections. It is not surprising that there are different outcomes, particularly in the area where Jamie Stone used to be a councillor and is now an MSP. The number of independents standing in parliamentary elections is not significant. We have not unpicked the 28 per cent to find out whether the votes for independents in local elections contributed significantly to that figure. Elections in rural areas are not primarily fought on party-political grounds.

There is a range of issues. There is a fundamentally undemocratic approach. If someone has been given a mandate, they should adhere to that mandate. There might be technical problems in making the change. No one is suggesting that we should retain the three-year arrangement in perpetuity. If we have to have two elections at three-year intervals in order to get a mid-term arrangement, so be it. We do not have to have the election at the mid-point—

Bill Butler: Will the member give way?

The Deputy Presiding Officer: The member is winding up.

Brian Adam: The local coverage that was given to the elections in 1999 bore no relation to local council issues. In my area, what was going to happen at Holyrood was covered. In 1999, there was no proper public debate about the stewardship of councillors, in terms of their individual wards and the parties that were running local councils. If we have joint elections permanently, such debate will be totally subsumed. That is anti-democratic.

10:41

Tommy Sheridan (Glasgow) (SSP): A number of comments have been made, particularly by the minister, about pilot schemes for elections. I cannot resist the temptation of suggesting that the Labour party should examine those schemes and have some internal elections. I am sure that that would be good for democracy.

The problem with the bill is that it has the new Labour imprint; it is unfortunate that it appears to have the new Liberal imprint as well. I am not surprised that none of the new Labour members has referred to the policy memorandum, which makes a remarkable statement. It says:

“From the voter’s perspective, combining Parliamentary and local government elections will result in being asked to vote less frequently and therefore will have a positive impact on voter attitudes.”

So there we have it: if we ask people to vote less frequently, they will be more positively inclined towards elections. Obviously, that is what the Scottish Labour party has tried when choosing its past three leaders. The problem is that, rather than having any positive impact, that approach has resulted in the loss of about 30,000 members.

Bill Butler: Is Tommy Sheridan arguing that a mandate of 44.9 per cent, as in 1995, is better than a mandate of 59.8 per cent?

Tommy Sheridan: Not at all. I am arguing, as I hope we all are, that we should try to improve voter turnout at all elections. I am against the big bang theory that says that we should just have one big election, but that is what we are moving towards. Indeed, recent stories in the press make me think that, if new Labour gets its way, we will have just one newspaper.

If we want to renew democracy, we need positive proposals. Where is the proposal for allowing 16 and 17-year-olds to vote? Where is the proposal for automatic voter registration? Where is the proposal for guaranteed transport to the polling station for the elderly and infirm? Where is the proposal for mandatory hustings in every electoral ward? Indeed, where is the proposal for proportional representation? One of the factors that led to the higher turnout in 1999 has been missed, even though it was one of the most significant features of the election: proportional representation made people believe that their vote counted. That is what is required.

Bill Butler: Does the member agree that turnout for the Scottish Parliament election was lower than the turnout for the 2001 Westminster election? That is a fact.

Tommy Sheridan: The fact is that people thought that the 1999 election was more relevant to them and felt that they had the extra choice. They knew that, because their votes counted, it would be better to use them.

Trish Godman did not mention the reports that the Liberal Democrats have, with much gnashing of teeth and banging on desks, squeezed out of Labour the assurance that, by 2007, there will be PR in local government elections. If what we are being told is true, three different electoral systems will be used on the one day. It is not one big vote that is going to renew democracy in those elections; it is one big vote done in three different ways.

Mr Rumbles *rose*—

Tommy Sheridan: I assume that Mr Rumbles wants to tell us about the deal.

Mr Rumbles: Not at all.

Mr Sheridan is underestimating the intelligence

of the voters. In my constituency, people voted Liberal Democrat for their local MSP, Conservative on the list and in many cases for independent councillors. The electorate are not stupid; they can cope with different systems.

Tommy Sheridan: Absolutely. They can cope with different systems and different elections. We want local government elections that are dominated by local government issues. We want the main issue to be the record of the achievements, or underachievements, of local authorities. The idea that gathering all the elections together in one big vote is good for democracy is nonsense. We must improve local government democracy by ensuring that people are aware of local government issues. We should give 16 and 17-year-olds the vote and enable people to vote in different places, for example. Those improvements do not require synchronised voting. It is from that point of view that I believe the bill does not deserve to be supported.

10:46

Donald Gorrie (Central Scotland) (LD): I will deal with an issue that Bill Butler mentioned briefly but that no other members have discussed. The assumption is that, if local elections are held midway through a parliamentary term, the electors will focus on local issues and vote accordingly. Experience shows that that is not true.

Members who took part in the local elections in 1982, which coincided with the Falklands campaign, will know that Conservative support increased daily because of the popularity of Mrs Thatcher, jingoism and all that, which had nothing to do with the local council.

The English have had repeated experience of council elections being held midway through a parliamentary term when the Government—whether the Prime Minister was Mr Wilson, Mr Callaghan or Mrs Thatcher—has been deeply unpopular and a raft of competent councillors from the Government party have been knocked out because the people voted on national issues. Whether we like it or not, national issues are the main points in many voters' minds. If the only election that is taking place is a local election, the way that voters can express their disgust with Mrs Thatcher or whomever—it may be Mr Blair in the future—is to vote down the people of the same party in the local election.

Experience has shown that, when the two elections are held together, people are more able to distinguish between them. In Moray and in Perth and Kinross there were, for various reasons, very unpopular local councils. The councillors were driven out in large numbers but the MSP from the same party did quite well. People can

distinguish between the elections.

In Edinburgh South, the Liberal Democrats came third in the parliamentary election, but won the local election. From the votes cast, we won five of the 10 wards. People are capable of distinguishing between the two elections; they are more capable of doing so when they can cast their national vote on national issues in the national election and are then free to consider whether to vote for the nice man or woman who is the local councillor or for a group that has a good idea about dealing with lampposts or whatever.

Contrary to the received wisdom—which many in my party share, along with McIntosh, Kerley and others—that synchronised elections reduce interest in the local government content, I think that they encourage greater interest.

Bill Aitken (Glasgow) (Con): Can we assume from those comments that Donald Gorrie no longer agrees that

“The council elections should be midway between the Scottish Parliament elections”?

That was the statement that Mr Gorrie made to the McIntosh committee before it made a decision on the matter. Perhaps he could enlighten us on that, as it seems to be hypocrisy run wild.

Donald Gorrie: I learn from experience.

Bill Aitken: Ah!

Donald Gorrie: Well, if the Tories do not learn from experience, they are a unique force in politics. They oppose a Parliament and a voting system that are the only reasons for their being here at all. I have never met such an issue in my life.

The Executive must give serious attention to the publicity for the local elections and ensure that there is every opportunity for those elections to be covered by the local and national media. That was badly done in the past but, where there is a fair playing field, local activity by councillors and candidates can encourage concentration on the local issues.

I do not know what happens in other parties but, in the Liberal Democrats, candidates for Parliament and for councils talk to each other. They can share leaflets and campaign jointly on the issues that are national and local. The arguments against having local elections on the same day as Scottish Parliament elections are misplaced although, I am sure, strongly felt. We should support the bill.

10:51

Bill Aitken (Glasgow) (Con): The minister said in his opening speech:

“The bill is short but important for Scottish local government.”

It is certainly short. It is also important, but the degree of importance that the Executive has attached to it is conditioned more by Labour's electoral chances than by any democratic principle.

Aspects of the bill have some merit. The four-year term is one. However, as my colleagues Keith Harding and Murray Tosh have pointed out, that, too, has more to do with Labour's electoral chances than with any democratic principle. Labour is running scared on the basis of recent by-election results.

We must consider various ways in which to make our voting system friendlier. When the minister gave his rather doleful description of polling in the north of Scotland, one could almost feel the mirk and the chill descending from the hills. Although the situation in Glasgow, for example, is less daunting, polling there is hardly the social occasion of the year, I fully concede. There is therefore some merit in considering ways in which we can make voting easier.

However, some of the suggestions that have been made do not have much credibility. The supermarket, the bookie's and the pub have been suggested. What next? We could be voting by phone, but one of the Labour members would have to be reminded that she could do so only once. There might be concern about that, too.

Of course, some important issues have been raised. Tricia Marwick was the first to say—correctly—that there is a danger that local issues will become subsumed by the national political climate of the time. That is regrettable. However, it is not correct to say, as Bill Butler did, that the situation is inescapable. As the Liberal Democrats have demonstrated, there are differences in electors' political views at national elections and at local elections. That is good and should be encouraged. Those involved in local government should be able to stand in splendid isolation and should be accountable to their electorate on the basis of their personal record and commitment to their constituencies—those are important principles of democracy.

It is surprising indeed that the Labour party should simply fly in the face of the recommendations made by Kerley and McIntosh on the timing of elections. Of course, political expediency has to a great extent overruled principle. That creates the ideal climate for the machine politician to flourish. At a time when the Labour party is increasingly becoming the subject of accusations of cronyism and is attempting to maintain an unsatisfactory and unacceptable status quo, it is regrettable that it should seek to create such a climate. Local government is very important.

There are also practical difficulties in holding coinciding elections. The counts last year, despite the best efforts of those involved, were a shambles in many areas. People from Edinburgh will have a particular recollection of that. We must examine the system in much greater detail.

It is indeed unfortunate that the Labour party and its happy little helpers—the Liberal Democrats—should be seeking to introduce a measure that goes against principles that they have expounded time and again. This is not a good day for democracy.

10:55

Mr Kenneth Gibson (Glasgow) (SNP): The bill is a missed opportunity. As McIntosh suggested, local government elections should be held at the mid-point between Scottish Parliament elections, with the current three-year cycle changing to a four-year one from 2005. Elections scheduled for next year should go ahead to ensure that voters have an opportunity to vote not on national issues, but on local ones.

We understand that the majority of councils have said that they want a delay to the elections that are due to be held in 2003, but turkeys do not necessarily want an early Christmas and, of course, most of those councils are Lib-Lab local authorities.

Tricia Marwick mentioned that, in 1999, Scottish voters were told of the two Scottish parliamentary ballots but not of the council ballots. Indeed, this year the farce was intensified, as Scottish voters heard from television adverts that there were going to be council elections this year, whereas in fact the adverts were referring to English council elections. That shows how abysmal advice to the public has been; it also shows how important it is that we in Scotland have control over broadcasting in this country.

The consultation on the bill was announced in a reply to a written question—before that question had been published—on the day of the Anniesland by-election and after that day's close of parliamentary business. I do not believe that the consultation has been as genuine, open and alive as the minister said it was in evidence to the Local Government Committee.

One issue that has not been talked about—although Tommy Sheridan touched on it—is the habit of voting. In many countries in Europe—in fact, in almost all countries in Europe—people vote more frequently than people in this country do. They also have greater turnouts and PR. There is a habit of voting whereby people get used to voting every year or every second year. However, if we put all our eggs into one basket and have an election once in a blue moon, people

are turned off by voting and do not believe that their votes count.

Iain Smith: The member will be aware that a large number of English local authorities have elections in a third of their electoral wards each year. The evidence from those areas is that turnout is falling even more dramatically than it is in Scotland—it is down to less than 20 per cent in some places.

Mr Gibson: Perhaps PR is the solution, so it is regrettable that Iain Smith's party distances itself from that.

I take issue with paragraph 22 of the Local Government Committee's 14th report in 2001, which states:

"while the McIntosh report favoured mid-term elections, the Kerley report, on balance, called for local government elections to be held on the same day as those for the Scottish Parliament."

Sylvia Jackson reiterated that point. In fact, the Kerley report did nothing of the sort. Paragraph 100 of the Kerley report, which Tricia Marwick referred to, states:

"higher turnout could not be claimed as an increased democratic mandate for local government: it would not bring additional voters to the polls because of their involvement in local government issues. In fact, coincident elections would tend to reduce the electorate's focus on local government issues. Conversely, separate elections would ensure that local government issues are at the heart of local government elections: this seems to us an essential part of democracy and democratic renewal."

The report was produced by an all-party working group, the majority of whose members were, I understand, Labour party or former Labour party members. Liberal members did not dissent from that view so I wonder what has changed their minds since the report was published.

The bill is not about strengthening local government, as Peter Peacock claimed. He should have been honest: it is about strengthening the Liberal and Labour parties in local government. The Labour and Liberal parties have undergone a road-to-Damascus change in attitude on the issue. I remember, as will Tommy Sheridan and Bill Aitken, that all parties in Glasgow City Council supported holding elections on separate days. The change came about because the Labour party thinks it can gain an advantage.

That scion of the Labour movement and well-known conviction politician, Peter Peacock, has contempt for Labour and Liberal voters. He obviously believes that they are not committed to local government and are less likely to get out of their scratchers to vote—which disadvantages the electoral prospects of the coalition parties—unless council elections are tagged on to parliamentary elections. I do not share the contempt shown by Peter Peacock and the Liberal and Labour parties

towards Labour and Liberal voters, who I believe are just as likely to come out to vote regardless of when the election is held. People are more likely to vote if the negative, victory-of-fear-over-hope style of the 1999 campaign is not repeated.

Of course, when the Liberals made their submission to the McIntosh commission, they did not advocate waiting until the experience of the 1999 elections. I wonder what other recommendations of the McIntosh commission, apart from those relating to PR, they have distanced themselves from. I say to Donald Gorrie that, if he intends to wind up for the Liberal Democrats in a debate as important as this one, it would help if he turned up for more than 10 minutes of that debate.

A number of important issues have been touched on. Sandra White talked about improving access for disabled people.

Donald Gorrie: On a point of order, Presiding Officer. I am not sure whether I heard the member correctly, but I point out that I have been in the chamber throughout the debate.

Mr Gibson: So speaks the invisible man. None of us managed to see him.

Colin Campbell argued that mid-term elections, rather than coincident local government and Scottish Parliament elections, would maximise turnout. We agree with him.

I am sorry that my old sparring partner Frank McAveety was unable to attend this morning's debate.

Mrs Margaret Smith (Edinburgh West) (LD): Are you sure that he is not here?

Mr Gibson: No doubt he is busy pledging himself in turn to each of this afternoon's candidates for the office of First Minister.

11:01

The Deputy Minister for Finance and Local Government (Peter Peacock): This has been a useful and, for the most part, interesting debate. I am grateful to members for the strong support that they have expressed for at least two of the major principles of the bill, the first of which is the four-year term of office for councillors. Murray Tosh recognised that it was a mistake to introduce the current three-year term, and I am glad that we are in a position to rectify that.

I am also grateful to members for their support for the pilot schemes that are proposed and for the principle that we should be able to experiment with how elections are conducted in order to encourage greater participation in the electoral process.

A number of members—Iain Smith, Trish

Godman, Tricia Marwick and Murray Tosh—suggested that, if Scottish Parliament and local government elections are to take place on the same day, the same rules should apply to both sets of elections. The Secretary of State for Scotland has indicated that, in relation to future Scottish Parliament elections, it would be sensible to legislate for pilots and provisions similar to those that we are discussing today. The Electoral Commission, together with the Scottish Executive and others, is considering the matter. The issue is not a matter for this Parliament, but no doubt in due course provisions can be enacted that will address the concerns that members have raised. The point that Murray Tosh made about elections over a longer period can also be addressed in that context.

I accept that there is a difference of view on the merits of coincident elections. As Iain Smith said, we need to make a balanced judgment about what best serves local democracy. The Executive is clearly of the view that local democracy is best served by coincident local government and Scottish Parliament elections. A number of members referred to the McIntosh commission's recommendation that there should be mid-term elections. However, the McIntosh commission took its evidence prior to the experience of the 1999 elections. As Donald Gorrie said, we should all learn from that experience. Before the 1999 elections, I had reservations about coincident elections. However, the evidence suggests that the practice was a great success and that it resulted in increased turnout. We want to build on that success in the way that I have described.

I want to deal with a number of other points that members made. Keith Harding and Tricia Marwick suggested that, if there were coincident local government and Scottish Parliament elections, local government elections would be swamped by national issues. Trish Godman raised the same issue, but in a different sense. I do not agree that local government elections will become a sideshow if they are held at the same time as Scottish Parliament elections. Far from local issues being hidden from the electorate, on a day when the turnout will be higher than would otherwise be the case, more people will have a chance to vote on their council's performance.

As Donald Gorrie and Bill Butler pointed out, all the evidence suggests that local elections are used by political parties and by commentators to pass judgments on national, rather than local, issues. That is an indisputable fact. Leaflets that I suspect all political parties have produced for local elections have referred to national issues. Commentators and parties invite members of the public to cast their votes as part of a referendum on the Government of the day.

Mr Tosh *rose*—

Peter Peacock: Before I give way to Murray Tosh, I should point out that he himself revealed the problem. He illustrated what happened recently in Aberdeenshire, where the Conservative party sought to turn the local election into what he described as a referendum on the local MSP. That proves the point that local elections are often about national issues, rather than local issues.

Mr Tosh: I confess that my jibe at Mr Rumbles was somewhat facetious. It turns out that he was not the local MSP after all.

I understand absolutely, and accept, that many electors often see local elections as an opportunity to pass a verdict on national politics and politicians. Nevertheless, in purely local elections, it is far easier to focus on local issues, personalities and records and to get voters to treat those local issues as determining factors that will at least influence the way in which they cast their votes.

Peter Peacock: I simply do not agree with Murray Tosh and I do not think that the evidence supports his point of view. Members of all political parties have hijacked local issues in order to pass judgment on national issues. The merit of holding elections on the same day is that the issues cannot be hijacked to the same extent. In those circumstances, people will know that they will have three votes for two elections. They will be able to distinguish between those issues that are truly attributable to the national politicians and to cast their votes accordingly. Equally, they will be able to attribute those issues that are down to local politicians and again cast their vote accordingly. The bill provides people with an opportunity to separate out and judge better the two tiers of government, rather than hiding one tier within the other. A number of members have said that the bill is an advance on the status quo. Voters demonstrate time and again that they can make those distinctions and vote in different ways. Bill Butler indicated that about 28 per cent of people did so at the previous election.

Mr Gibson: Surely people have to make different choices. In the most recent local government elections, there was no SNP candidate in 165 wards, no Labour candidate in 262 wards, no Conservative candidate in 499 wards and no Liberal Democrat candidate in 612 wards. Surely there must be a difference in the percentages between parliamentary and local government election simply because political parties do not contest all the wards.

Peter Peacock: Kenneth Gibson's point has some validity. Nonetheless, he did not disprove my argument. The researchers' evidence is that people are perfectly capable of distinguishing

between the democratically elected tiers of government in elections that are held on the same day and of casting their votes accordingly.

The second argument that members made—Tricia Marwick introduced it—is that somehow turnout for local elections is made artificially high if those elections are held on the same day as parliamentary elections. I do not accept that argument. It is a fact that a higher turnout is achieved in those circumstances, but what is the alternative? Do we really want to stick to holding council and parliamentary elections on different days? All the evidence shows that the turnout for council elections would be lower than the turnout for parliamentary elections if those elections were held on a different day. How would that serve local democracy?

People—perhaps even MSPs—would say that the Parliament is more legitimate because parliamentary elections attracted a higher turnout than the council elections did. That does not serve local democracy at all and it does not make councils more legitimate. That is why the Labour party and I, in partnership with our Liberal Democrat colleagues, are committed to making the measure work. We believe that it is the right step to take to improve quality and legitimacy.

A number of members, including Tricia Marwick, Trish Godman, Sylvia Jackson and Donald Gorrie, rightly pointed to the difficulty that was encountered with the publicity about the 1999 election. I both understand and support that point. We must improve co-ordination between the Scotland Office and the Executive on that important issue in order to ensure that, come the next election, people are clearly informed about which elections are taking place and how many votes they have in the Scottish Parliament election and in the council election. The Executive is working with the Scotland Office, the Electoral Commission and returning officers to plan much more effectively for the future and to overcome that problem. I want our advertising to make it clear that people will have three votes in two elections. I am committed to making that happen and I have instructed our officials to ensure that they argue that point of view within the working groups.

I want briefly to touch on other points that members raised during the debate. The administrative issue of counting votes was raised. I advise Sandra White and Brian Adam that the system worked in 1999, although there were undoubtedly teething problems. The returning officers and the staff involved have learned from those problems and are confident that they can undertake the counts more effectively in future. I have complete confidence in their ability to do so. I do not think that the issue is particularly worrying.

It is time for me to conclude. As Bill Aitken and I indicated, the bill is short but significant. It is designed to strengthen local government, to give it more stability to do its job and, above all, to strengthen its democratic legitimacy. The bill is part of the Administration's commitment to local government, which is a key partner in delivering for Scotland. I commend the bill to the Parliament.

Scottish Local Government (Elections) Bill: Financial Resolution

11:10

The Deputy Presiding Officer (Patricia Ferguson): I ask Peter Peacock to move motion S1M-2440, on the financial resolution in respect of the Scottish Local Government (Elections) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Local Government (Elections) Bill, agrees to any increase in expenditure payable out of the Scottish Consolidated Fund in consequence of the Act.—[*Peter Peacock.*]

NHS Reform and Health Care Professions Bill

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is a debate on motion S1M-2458, in the name of Susan Deacon, on the NHS Reform and Health Care Professions Bill, which is UK legislation.

Ben Wallace (North-East Scotland) (Con): On a point of order, Presiding Officer. I have seen that we may start question time at 11:30. The NHS Reform and Health Care Professionals Bill is an important issue, so I hope that you will allow us more time than the 20 minutes remaining.

The Deputy Presiding Officer: I do not think that I have any latitude on that. However, I have not so far been inundated with speakers for this debate, so I suspect that I shall not have too much of a problem. I will bear your comment in mind, Mr Wallace.

11:11

The Deputy Minister for Health and Community Care (Malcolm Chisholm): The motion relates to the NHS Reform and Health Care Professions Bill, which has received its second reading in the House of Commons, where it will commence its committee stage on 27 November.

Clauses 23 to 27, together with schedule 7, propose the establishment of a council for the regulation of health care professionals and set out its functions and powers. The Scotland Act 1998 defines the regulation of the health professions as a matter that is reserved to Westminster. However, some powers in this policy area are potentially devolved. That is why we are debating the motion.

Before I come to the devolved issues, let me say briefly what the proposed council will do and why we support its establishment. The council will be an overarching body to oversee the various bodies that carry out professional self-regulation. It is designed to improve the effectiveness of self-regulation to enhance public protection. It will do that by bringing greater consistency and spreading good practice. If necessary, it will exercise its powers to require changes to the rules of a regulatory body. The council will not deal with the fitness of individuals for professional practice, but it will have a power to appeal to the courts against individual regulatory decisions, where it thinks that it is in the public interest to do so.

The proposals for the council for the regulation of health care professionals in essence follow the recommendations of the Kennedy report of the Bristol inquiry. The council's remit will extend

across the United Kingdom. That is entirely appropriate to ensure consistent standards and to reflect and encourage the mobility of health professionals. The council is designed to be independent of Government. We look forward to the benefits that it will bring to Scotland and the rest of the United Kingdom.

I shall now explain the devolved issues. The Scotland Act 1998 reserved regulation of the health professions that were covered by the eight regulatory bodies that existed at that time. Scotland cannot legislate for those bodies nor, by extension, for a body to oversee them. However, the Health Act 1999 gave powers for further regulatory bodies for other health professionals to be created by an order in council. An order could be made to provide a separate regulatory body for Scotland. If new Scottish regulators were thus established, it would in theory be possible for the Scottish Parliament to create its own body to oversee them, which would be a Scottish equivalent of the council for the regulation of health care professionals. That is the main reason why there is a devolved aspect to the bill.

From what I have said, members will appreciate that I value the United Kingdom dimension to the body that the bill proposes. For that reason and because it is important that the same body should oversee both the eight reserved regulatory bodies and any new regulators, I do not favour the creation of a separate body to oversee any Scottish regulators, which in theory could be created.

Two other aspects of the bill affect devolved competence. They flow from the intention that the remit of the new council should cover the United Kingdom. First, Scottish ministers will be given the power to appoint one of the members of the council. That is to be welcomed. That power will, of course, be exercised in accordance with the Nolan principles. Secondly, Scottish ministers will have the power to fund the body through payments or loans. That will allow the commissioning of work from the council; it does not affect the fact that the costs of the council will be met by Westminster.

I commend the motion to members and ask them to consent to Westminster's legislating for a body that will bring considerable improvements to the regulation of health care professionals in Scotland and throughout the United Kingdom.

I move,

That the Parliament endorses the principle that the Council for the Regulation of Healthcare Professionals, which is to be created to oversee the regulatory bodies for healthcare professionals under the NHS Reform and Health Care Professions Bill, should also have power to oversee any regulatory bodies which might be established in future and which fall within the devolved competence of the

Scottish Parliament; agrees that the Council be made accountable to the Scottish Parliament in respect of such of its functions as fall within devolved competence; agrees that the function should be conferred upon Scottish ministers of appointing one of the members of the Council, agrees that power should be conferred on Scottish ministers to make payments and loans to the Council, and finally agrees that the relevant provisions to achieve this end in the Bill should be considered by the UK Parliament.

11:15

Nicola Sturgeon (Glasgow) (SNP): Important though this issue is, I suspect that it is not what most people in Scotland were talking about over their cornflakes this morning. However, it is important that the Parliament closely scrutinises all Sewel motions. We have few enough powers in some areas, so we should not abdicate those that we do have without very good reason.

The council for the regulation of health care professionals will, as the minister has said, oversee the work only of those regulatory bodies that are listed in clause 23 of the UK bill, powers over all of which are currently reserved to Westminster. The Scottish Parliament has the power to set up new bodies. One of the effects of this Sewel motion will be to ensure that any body that is established by this Parliament falls under the aegis of the new council. On the face of it, that seems a pretty minor matter. According to the Executive, having a Sewel motion is the sensible way to proceed. The argument that the minister puts forward is that it is important to ensure that the regulation of health professionals is consistent across the UK.

For the purposes of this debate, let us put to one side the substance of that argument—which is that even though we do not have a UK health service, even though we have different systems of education and training for many health professionals and, indeed, even though we have a different system of clinical governance, we should nevertheless have a UK system of regulation. Even if we put that to one side, there is a false logic in the argument that the Executive is putting forward. If this Parliament decides, in future, to set up a new regulatory body, it will mean that the Parliament has decided—for whatever reasons and in whatever circumstances—that a UK approach is not appropriate and that a Scotland-only body suits a particular set of circumstances that pertain at a particular time. All that may seem highly theoretical, but the Executive itself says in the memorandum that goes with the motion that it cannot envisage the circumstances in which it would want to set up a separate Scottish regulatory body. That begs the question why there is any need for legislation for something that the Executive does not think will ever happen.

A far more important question is this: if the

Executive cannot envisage the circumstances in which it would want to set up a new body, how does it know, at this stage, that if such circumstances did arise, it would be appropriate for a distinct Scottish body—no doubt established for distinct Scottish reasons—to be part of a UK framework? Is this not just a case of tying the Parliament's hands unnecessarily? Why do we not wait until circumstances arise in which we might want to establish a separate Scottish body and then decide whether it would be appropriate for that body to fall under the aegis of the UK regulatory council?

Shona Robison will address other areas of concern to do with the Sewel motion. I do not think that the Executive is trying to do anything devious this morning. To be frank, on the evidence of yesterday's meeting of the Health and Community Care Committee, I do not think that the Executive understands what it is trying to do or why. The best explanation given yesterday was that it was important to allow Westminster to legislate on a devolved matter for a set of circumstances that the Executive thinks will never arise. I do not think that that is an especially good reason for ceding power to the Westminster Parliament—unless, when summing up, the minister can convince me otherwise.

11:18

Ben Wallace (North-East Scotland) (Con): Scottish Conservatives welcome the chance to offer our support for a council to regulate health care professionals in the United Kingdom. We acknowledge the extra reassurance that such a body will bring to patients and relatives, as well as to some health care professionals themselves.

However, before we give our permission—for that, simply, is what a Sewel motion does—for Westminster to deal with some regulatory powers on our behalf, we seek answers to a few questions. I watched the Deputy Minister for Health and Community Care give evidence at the Health and Community Care Committee yesterday, and many of those questions were not properly answered. I hope that he will take this opportunity to give clearer answers.

On a procedural matter, given the devolved aspects of the bill, it is a bit rich to have this motion before us when Westminster has already completed its first reading. I ask that the Presiding Officer keep an eye on such things—we in this Parliament should not be taken for granted.

On the functions of the new council, the Scottish Conservatives seek answers that are clearer than the ones that the minister gave yesterday. For example, how will the new council fit in with the health service ombudsman for Scotland? What

measures does the Executive intend to take to ensure that the public are fully informed and understand what the council can and cannot do.

On the composition of the council, it must be asked why the political appointees outweigh those from the professions. Can the minister guarantee a transparent and open procedure in appointments?

The policy memorandum that accompanies the bill is somewhat contradictory throughout. The memorandum makes clear that any future appointment will be accountable to Parliament—it does not make clear which Parliament that means—rather than the secretary of state. Perhaps the minister would consider allowing the Health and Community Care Committee to choose Scotland's appointment to the council. I hope that he will consider that idea.

For any regulatory body to have real power, it must have real teeth. I have examined the detail of the bill and found that the new council can do plenty of recommending but little directing. That could cause problems in the future, particularly given that the council's birth is a result of the difficulties that arose between patients and the administration at Bristol royal infirmary.

We live in a Scotland that is striving to achieve better joined-up government and the on-going community care debate has shown just how important that is. I seek an assurance from the minister that he will lobby his counterparts in the UK Government to ensure that the council will encompass social services and take a more joined-up approach.

The Scottish Conservatives will support the motion. Our concerns and the minister's answers will be communicated to our counterparts at Westminster.

11:21

Mrs Margaret Smith (Edinburgh West) (LD): The Liberal Democrats support the Sewel motion and welcome the establishment of the council for the regulation of health care professionals. We note particularly that it was a recommendation of the Kennedy report on the Bristol inquiry.

The council for the regulation of health care professionals will oversee the work of the current regulatory bodies and ensure that they function in the public interest and co-operate with each other. We agree with the establishment of an overarching body that will bring consistency and monitoring to the eight regulatory bodies across the UK that are covered and hope that it will lead to the sharing of best practice.

The regulation of the professions is a reserved matter, but under the Scotland Act 1998 the

Scottish Parliament has the power to create an overseeing body. Today we need to decide whether we are happy to cede that power to Westminster. For the sake of consistency we are happy to do so.

We support the fact that the majority of council members will be lay people, rather than professionals. That will go some way towards allaying growing public concern about recent events such as the Shipman case and the situation in Bristol. We also welcome the fact that the appeals procedures will be harmonised across professions and that appeals against decisions on fitness to practice would go to the courts rather than to the Judicial Committee of the Privy Council. However, like earlier speakers, I have concerns, some of which we debated at yesterday's meeting of the Health and Community Care Committee.

My main concern relates to accountability. Any new regulatory body set up in Scotland would be a devolved matter. We need clarification on how the new council, and who from the council, would be accountable to the Scottish Parliament. My understanding, based on comments made yesterday by Malcolm Chisholm, is that in relation to the existing regulatory bodies, the annual report and accounts of the council would be set before the Westminster Parliament and that only the Scottish representative on the council could be held accountable to the Health and Community Care Committee of the Scottish Parliament. However if our scrutiny was in connection with a new body that had been set up by the Scottish Parliament, we would be entitled to scrutinise the chief executive of the council.

Further clarity is needed in respect of accountability. Where will the power to scrutinise the workings of the council lie? Will its report and accounts be laid before both Parliaments? What powers will the general public have in bringing concerns to the council? We understand that the council will not have the power to intervene in specific cases and understand why. However, what powers will members of the public or their representatives have if they have a genuine concern that a regulatory body is dragging its heels over an issue of general public concern?

We also have some concern about how decisions will be taken about whether Scottish bodies will be covered by the bill. For example, the Executive has decided not to include the Scottish social services council, which was recently established under the Regulation of Care (Scotland) Act 2001.

In conclusion, I echo Ben Wallace's comments on Sewel motions and timing in general. At no time should the Scottish Parliament's support be taken for granted. We would expect the concerns

raised yesterday at the Health and Community Care Committee and during today's debate to be taken forward by the minister as part of the on-going consideration of the bill at Westminster.

11:24

Shona Robison (North-East Scotland) (SNP):

This Parliament should scrutinise all Sewel motions. I put on record my concern at the number of Sewel motions that the Executive is bringing to the Parliament. We all recognise the need for effective regulation and promotion of the public interest. There is a strong argument that that could best be achieved at a Scottish level, but I will leave that argument to one side for now.

My concern is accountability. The council for the regulation of health care professionals will be accountable to the UK Parliament. The CRHP will also have the power to regulate any future regulatory bodies that are established by the Scottish Parliament, even if such new bodies regulate activity in a devolved area. The motion says that the council will

"be made accountable to the Scottish Parliament in respect of such of its functions as fall within devolved competence"

but it does not say how that will be achieved. We accept that provision is made for reports from the CRHP to be laid before this Parliament, but there appear to be no powers to compel the chair of the CRHP to appear before the Parliament. In essence, we will see the reports but we will have no power to hold the council to account. That is a major weakness.

I highlight an issue of general concern, which is that we expect one representative from Scotland to represent the interests of eight professional bodies. Given that there will be specific Scottish interests, I am not sure how that will work in practice. Perhaps the Deputy Minister for Health and Community Care will address that in summing up.

To conclude, the Executive has not thought through this legislation properly and has not answered the key question that was posed by Nicola Sturgeon: why does the Executive think it is important to allow Westminster to legislate on a devolved matter for a set of circumstances that the Executive does not think will arise? Perhaps the minister will have another go at answering that question in his summing up.

11:27

Malcolm Chisholm: I assure Nicola Sturgeon and Shona Robison that we understand entirely what we are trying to do and why. In contrast to the content of their speeches, which once again showed us the SNP attempting to dance on the

head of a constitutional pin, an overarching body was strongly recommended by the Kennedy report, which I suggest they read. I quote one sentence:

"In addition, a single body should be charged with the overall co-ordination of the various professional bodies and with integrating the various systems of regulation."

There is a strong case for consistency and oversight. If that is the objective, it would be illogical to increase inconsistency, which is what the SNP is proposing. It would be nonsense to have a separate Scottish co-ordinating body that could not oversee the reserved regulatory bodies in Scotland. We would have the ridiculous situation of having two bodies. The objective of consistency would be sabotaged.

Ben Wallace asked about informing the public. I agree that it is important that that should be done so that the public understand the role of the body and know that there is a new strong route for dealing with public complaints and concerns. As I said in my opening speech, the council could appeal to the courts about decisions by regulatory bodies, and will also have an ombudsman role with reference to those bodies. Ben Wallace also asked about the appointment procedure; I assure him that it will be transparent and open. It is a good thing that members of the public will be in the majority over the health professionals on that body.

Margaret Smith asked about accountability. Reports and accounts will be laid before the Scottish Parliament as well as the Westminster Parliament. Clearly, the council will deal substantially with reserved areas, but the Health and Community Care Committee will be able to question the Scottish member of the council and, if the council takes on devolved areas, the Health and Community Care Committee will be able to question the chair of the council. On the timing of the motion, to which Margaret Smith referred, the agreement is that the debate on the motion should take place before the committee stage, which is precisely what is happening.

Ben Wallace: Will the minister give way?

Malcolm Chisholm: I am almost out of time, so I am unable to do so.

I conclude by saying that we value and wish to empower front-line public service workers, but we also wish to protect the public in the few cases where something goes wrong. There is a need for an open and transparent regulatory framework that puts the needs and interests of patients and the public first. We have made a judgment based on those enduring principles, while the SNP once again shows its preference for constitutional nit-picking and a single ideological obsession.

Question Time

SCOTTISH EXECUTIVE

NHS Dental Services (Grampian)

11:30

1. Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive what progress it has made towards improving the quality of NHS dental services in the Grampian Health Board area. (S10-4121)

The Minister for Health and Community Care (Susan Deacon): I am aware of current difficulties in the provision of NHS dental treatment in Grampian, due principally to local staff shortages. I understand that NHS Grampian has recently been successful in filling some vacant posts and that urgent cases are still seen quickly as a priority.

In addition, a range of measures is being advanced nationally to improve the supply of dentists and to improve NHS dental services across Scotland.

Mr Rumbles: I thank the minister for that reply. I am sure the minister will realise that there is a shortage of dentists. In Aberdeenshire there is one dentist for every 5,000 people. The British Dental Association says that there should be one dentist for every 2,000 people. There are two solutions and I ask the minister to examine them.

First, will the minister consider recruiting dentists from European Union countries, where there is a surplus of dentists, as a short-term measure? Secondly, could the welcome initiative to attract rural general practitioners to the north of Scotland be extended to attract dentists to rural areas in the north-east of Scotland?

Susan Deacon: I am pleased to advise Mike Rumbles that work is already under way on that. In Grampian, the board is already investigating whether recruitment from overseas would bring in the necessary staff.

In addition, I understand that four Scottish dental access initiative grants have been awarded in Grampian. Those will contribute to improving the circumstances there. I also say to Mike Rumbles that we acknowledge that many different things need to be done to recruit into rural areas in particular. I am pleased to have met recently with the British Dental Association and held discussions on a range of solutions.

I am also pleased that, only this week, the remote and rural areas initiative held a conference in Perth. It was developing further ideas that we will be progressing.

Richard Lochhead (North-East Scotland) (SNP): Will the minister go on record as saying that it is unacceptable for people in Grampian to wait perhaps two to three months for a check-up at the local dentist, and three or four years for treatment from an orthodontist based at the local hospital? Will she give an undertaking to work with local MSPs to plot a way forward for the service in Grampian and perhaps agree to a meeting with a cross-party group of MSPs to discuss the matter?

Susan Deacon: I am always happy to work with local MSPs when they wish to explore with us, positively and constructively, what practical solutions can be developed. In many parts of the country I have done just that. I am encouraged that remote and rural recruitment issues are being addressed not just as NHS issues, but often through the involvement of local enterprise companies and others. When MSPs are prepared to work on a constructive and positive basis, I am more than happy to work with them.

Mr David Davidson (North-East Scotland) (Con): I return the minister to the answer that she gave to Mr Rumbles about advertising for dentists. Does she know that the health board did not pass on all the grant that was available for advertising outwith Scotland last year? Is she aware that we cannot attract trainee dentists into the area because of inadequate training support? There is no institute, as there is in other parts of Scotland. What will the minister do about that?

Susan Deacon: We must be absolutely clear on two points. As far as the Executive is concerned, we do not shirk from the fact that there are real issues about recruitment into dentistry—particularly in rural areas. We also recognise that the problem is multifaceted and has multifaceted solutions—it is not simply a question of investment. As I indicated in my response to Richard Lochhead, it is not even just an issue of how the NHS responds in isolation to recruitment issues in rural areas. There are many ways forward that must be explored. As I indicated, we are doing that actively, together with the profession.

Regeneration of Communities (Culture and the Arts)

2. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive what steps are being taken to promote culture and the arts as being integral to the regeneration of communities. (S10-4148)

The Deputy Minister for Social Justice (Ms Margaret Curran): Many factors contribute to the regeneration of communities. We recognise that the promotion of the arts and the broader cultural agenda is an important element of that regeneration and that many agencies have a part

to play in that. For example, we have requested that the Scottish Arts Council ensures that all social inclusion partnerships have an arts component and I am pleased to say that so far 30 of the 48 SIPs are in the process of putting that component in place.

Johann Lamont: I thank the minister for her reply. Is she aware of interesting initiatives in my constituency, such as the Pollok Kist, the Village storytelling project and the planned heritage centre? They are interesting examples of the way in which the arts and culture are being promoted.

Those initiatives are supported and driven by local people. They are of interest and benefit to the local community, but will the minister reassure me that the Executive recognises the importance of promoting arts and culture and of making the wider community aware of such initiatives? That should create the infrastructure to allow broader accessibility to such initiatives and broader community interest in the arts, which would support economic regeneration in communities such as those which I represent.

Ms Curran: I reassure Johann Lamont that the Scottish Executive is well aware of many local community arts and cultural projects. Recently, I had the pleasure of visiting Rutherglen and Cambuslang, at the invitation of Janis Hughes. Young people there were enabled to produce a play to articulate their experiences of the drugs issue. As we know, Cumbernauld Theatre also does much work with young people, to good effect.

Johann Lamont's central point is correct. Much of Scotland's great art was produced through the experience of ordinary working people. The Executive is committed to assisting people to promote the arts of their local communities and take that to the broader agenda. We always support access to the greatest arts in Scotland, but we also support local community arts and work hard to bring together the social justice and arts agendas.

Mr Kenneth Gibson (Glasgow) (SNP): Does the minister agree that community regeneration should be community-led, not least in arts and culture? What role will KickStart play in that process?

Ms Curran: As Kenny Gibson knows, we have pushed forward the KickStart programme and workers are about to be put in place. I am happy to encourage those workers to develop the community arts agenda.

Such work should be community-led, but we are not naive about the need for local support for communities that have been excluded from the arts. We need to support them in articulating their demands through resources and supporting staff

in the KickStart programme.

Donald Gorrie (Central Scotland) (LD): In many areas, the powers that be still do not accept that cultural activity in the community is a great help to young people. Often, all that is needed is a bit of help, a modest amount of money and some professional know-how. Will the minister work with local government, when it is not pursuing such a policy, to encourage it to do that more?

Ms Curran: Yes. Donald Gorrie makes his point well. Often, modest amounts of money produce great returns for communities. I have been impressed by the range of activities that local authorities have undertaken. Glasgow City Council is developing a good track record with its arts and cultural strategy. In greater Easterhouse in my constituency, Scottish Opera recently attended a community event at very little cost. Such integrated partnership working between arts agencies and local authorities is the answer to dealing with the great reservoirs of untapped talent in our communities that we are committed to releasing.

Scottish Transport Group Pension Schemes

3. Dennis Canavan (Falkirk West): To ask the Scottish Executive when it expects to announce final details of the wind-up of the Scottish Transport Group pension schemes. (S10-4156)

The Minister for Transport and Planning (Sarah Boyack): I am keen for ex gratia payments to Scottish Transport Group pension members to be made as soon as possible. However, that cannot happen until the pension schemes are wound up, and that is entirely a matter for the pension scheme's trustees. As soon as the schemes are wound up, the Scottish Transport Group will be dissolved, the surplus will be transferred and ex gratia payments will be processed.

Dennis Canavan: The minister said that the relevant dissolution order would be brought to the Parliament in autumn last year and later changed that date to autumn this year. Bearing that in mind, what is the Scottish Executive's definition of autumn? Will the minister ensure that pensioners receive interim payments from the surplus before Christmas and that the final payments total much more than the £100 million that has been promised, given that the gross surplus is £250 million plus interest?

Sarah Boyack: No one is keener than I am to ensure that the pensioners have justice. The Executive has not delayed. The fact is that we cannot pay out until the trustees have wound up the scheme. We cannot access the detailed information on all the pensioners until the scheme is wound up and the trustees pass that information

to us. As soon as we have that information, I think that we should issue full payments and not mess around with interim payments or delay the final settlement that the pensioners have waited far too long for.

Andrew Wilson (Central Scotland) (SNP): Does the minister appreciate that her colleagues at the top of the Government in London blame the Executive for unacceptable delays in paying Scottish citizens their own money? Even the chancellor is said to be furious. Is Gordon Brown right or wrong to be furious at the Executive? Is he furious because payments to pensioners have been delayed or because there has been a delay in the Treasury getting its hands on pensioners' money? Is not it acutely ironic that thousands of ordinary Scots have waited 10 years for their own money, when a First Minister has been handed a chunk of a pension after one year of failure?

Sarah Boyack: I will stick to the substance of the question. The Executive has not delayed. We are working hard to get the schemes through. We will be at the Finance Committee next week to ensure that we have the powers to pay the money.

I want the money to be paid as soon as possible. That is also the UK Government's position. Until we have the final wind-up from the trustees, we cannot pay the money. We must ensure that that work goes ahead as soon as possible, once the Parliament and the Executive have the authority to pay the money.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I am pleased to hear that the minister wants to see this expedited as quickly as possible. From the minister's discussions with the Transport and General Workers Union, she will be aware that many people are unclear about the process. There may also be people who have not yet come forward and others who are unaware that they are entitled to something from the pension fund. Will the minister give an indication of the steps that the Executive has taken and the procedures that are about to be put in place to ensure that everyone who is entitled to a payment from the scheme gets one, as soon as the scheme is wound up?

Sarah Boyack: First, we are in discussion with the trade unions to ensure that they know the criteria on which we will disburse the money. Secondly, as soon as the Executive has the money and we are able to make payments, we will have the widest possible advertising campaign to ensure that every single pensioner who might benefit from the funds knows about it. That will ensure that the records are up-to-date and will allow us to make payments.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The minister will be aware that I have received many representations from constituents in my part of the world. It is essential that the matter be brought to a speedy and satisfactory conclusion. If it is necessary for the minister to co-ordinate with United Kingdom ministers, will she give me an assurance that that will be done?

Sarah Boyack: Absolutely. We have worked closely with UK ministers. We have an Executive team that is ready and waiting to pay out the money as soon as we have it and the records from the STG. We are ready to pay out the money, but we need to have the money for us to be able to do that.

Road Projects (A830)

4. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive whether its programme for road projects will include upgrading the remaining single-track section of the A830 between Fort William and Mallaig and whether it will seek any European transitional funding for such an upgrade. (S10-4154)

The Minister for Transport and Planning (Sarah Boyack): The remaining single-track section of the A830 is included in the agreed list of schemes for which European transitional funding will be sought. Highland Council will shortly be undertaking the necessary outstanding work, leading to the publication of a draft order. The scheme will be a candidate for future trunk road programme funding, taking account of the availability of European transitional funding.

Fergus Ewing: My question is again one about delay. Is the minister aware of the visit yesterday of the Lord Russell-Johnston? In his maiden speech to the House of Commons, Lord Russell-Johnston raised the question of the Mallaig road. He did that in 1964.

Michael Russell (South of Scotland) (SNP): It was a Liberal priority. [*Laughter.*]

Fergus Ewing: Liberals have a certain sense of timing.

Does the minister agree that the delay is acceptable? Does she consider the delay to be much of an advert for the so-called benefits of the union?

Sarah Boyack: As everybody knows, the Executive was set up at the same time as the Parliament. That was in 1999. Six months after the Scottish Parliament was set up, I gave the go-ahead for work on the second-last stretch of the A830. This summer, I visited the work site. The second-last stretch of the road is now going

ahead. The Executive has made that a priority. We have already instructed Highland Council to do the preparatory work for the final stage. Fergus Ewing can take from that that we have a full awareness of the importance of getting on with the work.

Rhoda Grant (Highlands and Islands) (Lab): Given the large amount of traffic on the A830 from Mallaig harbour, safety is often compromised, not only for travellers but for the communities that are cut off when the road is closed due to accidents. That also prohibits further economic development of the harbour. For those reasons, will the minister explore all funding options, including funds available for road safety and economic development?

Sarah Boyack: I can give Rhoda Grant a commitment that we will do that. We have to make tough choices throughout our trunk roads network, but the fact that we have one final stretch of single-track road in Scotland is a lasting issue, which must be taken into account when we next consider priorities throughout the trunk roads programme.

Diet

5. Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): To ask the Scottish Executive what progress it is making with its policy of improving the Scottish diet. (S10-4150)

The Minister for Health and Community Care (Susan Deacon): We are taking forward the Scottish diet action plan "Eating for Health" in a number of areas, for example by appointing the first Scottish food and health co-ordinator, injecting substantial resources from the health improvement fund and working to develop higher nutritional standards for school meals.

Brian Fitzpatrick: Does the minister agree that real long-term improvements involve getting fruit and vegetables into the mouths and stomachs of children—not necessarily the same task—particularly the poorest children, and that that should be a key health priority? Will she welcome and support initiatives such as the cashless school meals system that operates at Turnbull High School in my constituency as examples of the elimination of a stigma that has no place in 21st century Scotland?

Susan Deacon: This is an appropriate time to praise the efforts that have been made throughout Scotland in communities and schools and by local authorities, voluntary organisations, the health service and many others, to ensure that we make a difference to the diet of our nation. Change will not happen overnight, but it can and will happen if people continue to work together to make a difference. I am pleased that education, health and social justice ministers have joined together this

week to take forward our latest series of measures to ensure that children in schools have access to healthy school meals. I welcome steps that have been taken by schools such as that in Brian Fitzpatrick's constituency, which will remove the stigma of free school meals and ensure that the barriers are removed so that the poorest in our society get the healthy, nutritious food that they need.

Mrs Margaret Smith (Edinburgh West) (LD): What is the Executive doing to tackle the growing problem of childhood obesity, particularly given the serious impact that that has on health throughout life and on the development of conditions such as diabetes and heart disease? Will she assure us that action on diet will be taken throughout all relevant Executive departments?

Susan Deacon: Margaret Smith is right to highlight the growing problem of childhood obesity. It is in part a product of diet, but also of other lifestyle factors, not least the lack of exercise that many children experience as a consequence of changed habits. The problem is being tackled throughout Government. I am pleased that much is being done, for example in initiatives such as the Have a Heart Paisley national health demonstration project, to develop exercise and dietary improvement in schools. All of those projects together will start to make a difference. However, it is a big challenge and one that we must address together.

Tommy Sheridan (Glasgow) (SSP): Given that poor diet is second only to smoking as the biggest contributor to early death in Scotland, does the minister agree that it requires radical thought and far-reaching measures? Will she agree therefore that the Parliament should give serious consideration to the free school meals bill?

Susan Deacon: I agree absolutely that improvement in that area needs radical and far-reaching methods and I am proud that the Executive is developing such measures. Anyone who has been closely involved in that area—and all the experts who gathered together at a food in schools conference earlier this year—would agree that the proposals in Tommy Sheridan's bill would not be an effective use of resources and, just as importantly, would not be effective in ensuring that our children actually eat nutritious meals.

What we are doing, however, is introducing practical measures that will ensure just that. The measures that we have set out this week will introduce minimum nutritional standards in schools and practical measures to end the stigma attached to free school meals. To ensure that we really are successful, we have written this week to directors of education in every local authority in Scotland to involve them in that work.

Mary Scanlon (Highlands and Islands) (Con): Is the Executive still on course for achieving the targets, aims and objectives that were set out in "Eating for Health: a Diet Action Plan for Scotland", which was written by my colleague Lord James Douglas-Hamilton when he was Scottish health minister in 1996?

Susan Deacon: Mary Scanlon may be aware that one of the few occasions when I am on record as praising something from a previous Conservative Government is that on which I praised the Scottish national diet action plan. To this day, there is broad agreement that that plan represents the way forward in improving diet. However, it is not enough to have the plan. We must also put action, energy and investment into implementing it, and that is what we are now doing.

Dorothy-Grace Elder (Glasgow) (SNP): Some 250,000 people in Scotland are at risk of malnutrition, and 310,000 children in Scotland live in poverty. Those are almost third-world figures in relation to our population size. Much more radical action needs to be taken. I suggest that the Executive's investigatory groups look at one place where meals are highly subsidised, very nutritious, delicious and cheap: the Scottish Parliament. Our children should be as well fed as we are, instead of having to buy rubbishy sweets out of vending machines to make schools money.

Susan Deacon: However desirable it may be, it is not possible to give the nation's children access to the Scottish Parliament canteen. However, a growing number of Scottish children have access to breakfast clubs, to healthy eating initiatives in communities and to fruit in schools and nursery schools. That is the kind of thing that we are doing to reach out and end the problems of generations in this country.

Schools (Physical Education)

6. Irene Oldfather (Cunninghame South) (Lab): To ask the Scottish Executive how it plans to promote physical education within the school curriculum. (S10-4122)

The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen): From food to exercise. The Scottish Executive is anxious to promote physical education in all our schools. In terms of the school curriculum, performance measures for physical activity have now been developed and will be included in guidance for local authorities on the preparation of individual school improvement plans.

Irene Oldfather: Does the minister agree that, although we have a tradition of football and rugby in Scottish schools, it is just as important to promote non-competitive sport? Will he join me in

congratulating Greenwood Academy, in my constituency, on introducing fitness days which allow pupils to participate in contemporary exercise such as step aerobics, circuits and boxercise?

Nicol Stephen: I am happy to congratulate Irene Oldfather's local school on that initiative. Although I agree that the issue is wider than specific competitive or team sports, I believe that such competitive and team sports are very important. The performance measures that are being issued reflect that balance. There are to be nationally determined performance measures on the percentage of schools with health-promoting school status, and those measures should cover issues such as diet as well as exercise. The measures will reflect the range of physical activity provided by schools including, but not exclusively, sport. There will also be a locally determined measure on the percentage of pupils participating in key cultural, sporting and social activities outside the formal school curriculum.

Colin Campbell (West of Scotland) (SNP): That will really make the kids want to go out and get into sport. To what extent have the well-known findings of the Linwood primary school PE experiment been incorporated in the minister's programme for PE in schools?

Nicol Stephen: I do not know. [Laughter.]

Karen Gillon (Clydesdale) (Lab): I admire the minister for his honesty. He will be aware of my considerable interest in the subject. Does he accept that one of the best ways of ensuring that young people and children are involved in physical activity in school is to co-ordinate that within local communities and sports clubs? Will he undertake to examine what action is being taken to ensure that that work is better co-ordinated? If necessary, will he return to the matter and consider what further steps need to be taken in the school curriculum?

Nicol Stephen: I agree that it is important to deliver at local level. Whatever national performance measures we may have, the key is local delivery. That is why we have set up the physical activity task force, under the chairmanship of John Beattie.

I will meet him and other members of the task force this afternoon to consider some of its early proposals. We have made it clear that we are prepared to take on the task force's recommendations and consider its proposals for change. We will consider amending and changing our quality indicators, if the task force sees fit. Members should forgive the pun.

Water Industry

7. Mr John McAllion (Dundee East) (Lab): To ask the Scottish Executive when it expects to introduce legislation to facilitate competition in the delivery of water and sewerage services. (S10-4128)

The Minister for Environment and Rural Development (Ross Finnie): We will not legislate to facilitate competition in the water industry. However, as part of the water environment and water services bill planned for next year, we will establish a legislative framework to ensure that if competition develops, it does so in the interests of all customers, while public health, the environment and our social objectives continue to be safeguarded.

Mr McAllion: Private water companies will be delighted with the proposal to ask taxpayers to continue to bear the burden of maintaining a costly and heavily-regulated water and sewerage infrastructure. Will the minister explain why that is in the public interest? It seems that the loss-making parts of the industry are to be kept in public ownership while the money-making parts are to be passed over to the real cronies of today's politics—the predatory private companies that are out to stuff their pockets with taxpayers' money at the expense of public services.

Ross Finnie: Mr McAllion has no evidence to put to Parliament that we have any intention to do other than retain Scottish Water in public ownership for the benefit of the company.

If the Parliament approves the creation of Scottish Water, that company, in public ownership and delivering the highest quality water and sewerage services at the most competitive price, will see off the competition.

Bruce Crawford (Mid Scotland and Fife) (SNP): Does the minister agree that the establishment of Scottish Water will create the largest quango in Scotland's history, with an annual expenditure of almost £1 billion? With the creation of that super quango, does he accept that it is important to ensure a fair, open and transparent appointment process for board members? Will he therefore give a commitment to submit the list of board members for Parliament's approval? Is this Liberal minister prepared to halt the gravy train of Labour party members being paid from the public service?

Ross Finnie: I found no substance in John McAllion's opening question and find even less substance in Bruce Crawford's question.

Members will be appointed to the board of Scottish Water on the basis of their ability to contribute to the running of a major public corporation.

Roseanna Cunningham (Perth) (SNP): On the basis of their ability to contribute to the Labour party.

Ross Finnie: The member has misunderstood entirely. If any member is suggesting that they would wish to put Scottish Water into private ownership, they can pursue that. The Executive is committed to keeping Scottish Water in public ownership as a public corporation and those who will serve on its board will be chosen entirely on their merits.

Lord James Douglas-Hamilton (Lothians) (Con): Is the minister aware that we use only a small percentage of our own water for domestic requirements? Are studies in hand to find out if we could help out—either commercially or for humanitarian purposes—in the event of drought in developing nations where there could be substantial and urgent demand for water?

Ross Finnie: I am not aware of such studies, although, as I come from Greenock, I am aware of a surplus of water in Scotland. I will write to Lord James Douglas-Hamilton on whether such surveys exist.

Territorial Waters (Boundary)

8. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Executive what discussions it has had with the Department for Culture, Media and Sport in relation to the powers granted to the secretary of state for that department to determine the boundary between English and Scottish territorial waters by virtue of section 1(3) of the National Heritage Bill. (S10-4120)

The Deputy Minister for Environment and Rural Development (Rhona Brankin): My officials have worked closely with officials in the Department for Culture, Media and Sport on the National Heritage Bill. Any order made under section 1(3) of the National Heritage Bill will be made in consultation with the Scottish Executive and will be consistent with the terms of the Scotland Act 1998 and the Scotland Adjacent Waters Boundaries Order 1999 (SI 1999/1126).

Murdo Fraser: As the bill will allow the boundary between English and Scottish territorial waters to be determined solely by the minister in London without any need for consultation with the Scottish ministers or with the Parliament, is the minister concerned that it is contrary to the spirit of devolution? Does it not set an unwelcome precedent for future bills?

Rhona Brankin: For Mr Fraser's benefit, I repeat what I said in response to the initial question—he obviously did not hear it. There is no possibility that that decision will be made other than in the spirit of the concordats that have been agreed between Westminster and us.

I find the sudden Tory interest in boundary issues very odd given that the Tories were completely opposed to the establishment of the Scottish Parliament in the first place. This is my first experience of Mr Fraser. I can certainly see why Andrew Neil, that right-wing publisher of *The Scotsman* described Mr Fraser last week as the Tory Taliban. I advise Mr McLetchie to watch his back very carefully in future.

Fish Farming

9. Robin Harper (Lothians) (Green): To ask the Scottish Executive what steps are being taken to prevent any deterioration of coastal waters resulting from expansion of the fish farming industry. (S10-4125)

The Deputy Minister for Environment and Rural Development (Rhona Brankin): There is a wide range of measures in place to ensure that the impact of fish farming on the marine environment is controlled.

Robin Harper: The minister is, of course, aware that fish farming is not the only contributor to nutrients in our coastal waters. Is the minister aware that, under the terms of the European water framework directive, it is not permissible to allow activities that will result in the deterioration of the quality of our surface waters? Will she provide evidence that any expansion of aquaculture will not result in such a deterioration of water quality, thereby resulting in a breach of the directive?

Rhona Brankin: We are obviously aware of the terms of the directive. In the meantime, we will do everything that we can to ensure that anything that we do now does not in any way compromise the objectives of the water framework directive.

Maureen Macmillan (Highlands and Islands) (Lab): The minister will be aware of the evidence that was given to the Transport and the Environment Committee yesterday by people with wild fish interests, shellfish growers and environmental non-governmental organisations. Could she reassure me that the consultation on the development of a strategy of aquaculture will be inclusive and will include those stakeholders as well as the fish farmers?

Rhona Brankin: I am happy to give Maureen Macmillan that categorical assurance. The consultation will be fully inclusive. The consultation paper has already been issued and I am about to embark on a series of meetings with the various stakeholders. I intend to set up an expert group to take that work forward. I pay tribute to the work that the Transport and the Environment Committee has done to examine the issue and especially to the work of Robin Harper and Maureen Macmillan, who are that committee's reporters.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I am glad that the minister mentioned the rolling inquiry and the evidence that is being taken by the Transport and the Environment Committee.

Will the minister consider restricting any further expansion of sea-cage fish farming in our coastal waters until that inquiry is concluded?

Rhona Brankin: I have already said to Mr Harper that we will ensure that nothing that we do compromises the objectives of the water framework directive.

Mr Jamie McGrigor (Highlands and Islands) (Con): In light of the fact that the fish farming industry is regulated by nine bodies, will the Scottish Executive, in the interests of fish farming and the environment, follow the advice of the Scottish salmon strategy task force report of 1996 and set up a single regulatory body for the aquaculture industry and include paving legislation for that in the forthcoming water environment bill?

Rhona Brankin: As Mr McGrigor knows, we consulted recently on the regulation of aquaculture. I will make the results of the consultation known over the next few weeks.

Stirling-Alloa-Dunfermline Railway Line

10. Andrew Wilson (Central Scotland) (SNP): To ask the Scottish Executive what priority the reopening of the Stirling-Alloa-Dunfermline line has in relation to other rail projects. (S10-4135)

The Minister for Transport and Planning (Sarah Boyack): I regard the reopening of the Stirling-Alloa-Dunfermline line as a very important project, which will increase capacity in central Scotland, with benefits for that area and more widely.

Andrew Wilson: I am grateful for that answer. I place on record my best wishes for the minister in the forthcoming cabinet reshuffle. In full recognition of the potential outcome of that, I ask her to make it clear that the views that she expresses are not only hers, but those of the Executive. Does the Executive agree that the Stirling-Alloa-Dunfermline line is crucial for the strategic development of transport not only in central Scotland, but throughout Scotland, including the fast ferry port, the Glasgow-Edinburgh route, the Forth bridge and even as far away as Ayrshire? Does the minister agree that the passenger aspects of the project are critical to the railways throughout Scotland and the development of the economy in the area of the line? Would not she be better placed to deliver on all that if she had the same power over railways that she has over roads?

Sarah Boyack: I thank Andrew Wilson for the deep sincerity that he expressed in offering his best wishes before he asked his question.

The issue has nothing to do with a lack of funding and the broader question about railways. It is about getting accurate costings. The benefits of the project are massive. If we were able to get freight trains off the Forth rail bridge that would let us have faster express trains between Dundee and Edinburgh, faster trains between Perth and Edinburgh and much more reliability in the network for passengers in Scotland. It would also open up huge opportunities that do not currently exist for freight. That is why we have a team working on the project and why we have a partnership approach with the council, the local enterprise company and the Strategic Rail Authority. We want to deliver the project, because it will bring benefits to the whole of Scotland. That is why the Executive is working to deliver the project.

Scott Barrie (Dunfermline West) (Lab): As the minister knows—although perhaps the SNP's transport spokesperson does not—the path of the former Alloa to Dunfermline rail link is now a highly effective cycle path. However, a rail link could be provided by using the existing track to Kincardine. There are many competing demands and we know about the economic benefits that would come from a direct link to the west but, given the importance of the Rosyth ferry port to the economic well-being of Scotland, is not that line now the Executive's biggest priority in rail transport?

Sarah Boyack: The line is one of our top priorities. Members regularly ask questions about other projects such as the Gourrock and Larkhall to Milngavie line. We want to get on with a series of key projects.

The Stirling-Alloa-Dunfermline line is a strategic project for not only central Scotland, but beyond. Getting freight off the Forth rail bridge will bring big benefits for passengers. We are considering the opportunity for freight to go from Stirling to Alloa to Longannet. There are massive opportunities; I am determined that we capture them in the study that is being done and that we ensure that we make progress on the project.

Mr Keith Raffan (Mid Scotland and Fife) (LD): Does the minister agree that when we get accurate costings—which are badly needed—there is still likely to be a significant funding gap? What is the Executive going to do to ensure that that funding gap is bridged and that the project—which is extremely important to Clackmannanshire, west Fife and all the region that I represent—will go ahead and will meet the deadline of completion by 2005?

Sarah Boyack: We inherited a mess of a railway system. The way to get out of that mess is

through partnership. That is why we are working with Clackmannanshire Council, the local enterprise company and the Strategic Rail Authority. A partnership approach is the only way to make progress on projects such as this. The Executive is already committed to providing funds for the passenger element and is already committed to the freight element. We must bring in broader support to ensure that we get a package of funding that will ensure that the project goes ahead.

Renewable Energy (Dumfries and Galloway)

11. Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): To ask the Scottish Executive what assessment it has made of the potential for developing renewable energy generation in Dumfries and Galloway. (S10-4155)

The Deputy Minister for Environment and Rural Development (Rhona Brankin): I expect to publish soon a report into the potential renewable energy resource for the whole of Scotland.

Alasdair Morgan: I thank the minister for that answer. Does she know that at least one major wind power company has said that, because of Ministry of Defence objections, it is not worth applying for planning permission for wind farms in tactical low flying areas? Most of Dumfries and Galloway is a tactical low flying area. Does that mean that the MoD has effectively vetoed wind farm developments in Dumfries and Galloway?

Rhona Brankin: The Executive is aware of the issue. We have been in touch with the MoD on a range of issues, including that one.

Phil Gallie (South of Scotland) (Con): I declare an interest, as I was manager of the Galloway hydro-electric scheme in the past few years, which has been a major contributor of renewable energy over the past 70 years.

Does the minister agree that the best way to increase renewable energy from Dumfries and Galloway would be to extend the nuclear generation facilities at Chapelcross?

Rhona Brankin: As Mr Gallie is aware, energy policies are reserved to Westminster. I reiterate that the Executive's position on nuclear development in Scotland is straightforward. Any proposals for new power stations of any kind must come to Scottish ministers for consent under devolved powers.

The Executive recently launched a joint consultation with the Department for Environment, Food and Rural Affairs on a radioactive waste management policy. The results of that consultation will help us to decide future policy on that important issue, and to address public acceptability, environmental protection and safety.

We take the view that no decisions on policy on the future of nuclear power or on any new nuclear power stations can be taken before the results of the consultation are available.

First Minister's Question Time

SCOTTISH EXECUTIVE

The Presiding Officer (Sir David Steel): Before we start First Minister's question time, I say that the occupants of the chair have had difficulty in implementing rule 13.3.3(b) of the standing orders. I remind all members that the guidance says clearly that questions about activities undertaken by members of the Executive in a personal, party or constituency capacity will not be admitted. Questions to Mr Wallace about his life as a Westminster MP or as leader of the Liberal Democrats will not be in order.

Mr John Swinney (North Tayside) (SNP): That narrows the field. I take it that that ruling also applies to the answers.

The Presiding Officer: Yes.

Scottish Executive Priorities

1. Mr John Swinney (North Tayside) (SNP): To ask the First Minister what the current priorities of the Scottish Executive are. (S1F-1391)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): The priorities of the Scottish Executive are outlined in "Working together for Scotland: A Programme for Government".

Mr Swinney: I ask the acting First Minister about two quotes from his ministerial colleagues in connection with that programme for government. I hope that the question keeps me in order.

On 29 October last year, Mr Henry McLeish said that he would "dump the crap" from the programme for government. On Sunday, Jack McConnell said:

"We will cut the crap."

It is great to see such unity among ministers. What is the crap in the programme for government and what policies would the acting First Minister like to be dumped?

Mr Wallace: I have here the programme for government that Henry McLeish published on behalf of the Executive in January this year, which somewhat post-dates the quote that Mr Swinney attributed to Henry McLeish. There is no doubt that if Mr Swinney makes a comparison he will be able to see what was dumped. I make it clear that that programme is for a Government that is working, that has been delivering for Scotland on health, education, transport and rural and urban issues and that will continue to deliver for Scotland.

Mr Swinney: I think that I quote Gil Paterson

accurately when I say of the programme for government, "Maybe it's all crap." I will ask the acting First Minister about some of the policies that have been dumped. The reduction of waiting times has been dumped. The abolition of dental charges has been dumped. Boosting small business start-ups has been dumped. The review of petrol prices has been dumped. The abolition of tolls on the Skye bridge has also been dumped. The policies that have been dumped are all Liberal Democrat policies, so now that the Liberal Democrats have dumped their policies, why does not Mr Wallace dump the Liberal Democrats, go the whole hog and join his cronies in the Labour party?

Mr Wallace: At least we have some policies. To be frank, I did not recognise much of what Mr Swinney said. It is only a matter of weeks since Susan Deacon made it clear that the reduction of waiting times is now the Executive's focus in health. We continue to consider reducing petrol prices, in as much as that is within the competence of the devolved Parliament. I cannot remember the other policies that Mr Swinney listed.

It is clear that the policies in the programme for government are those on which we are delivering. As I have said previously, at least the Liberal Democrats are not a one-policy party. Mr Swinney seems to have dumped even the SNP's one policy. He does not talk much about it.

The Presiding Officer: We are sailing close to the wind here.

Mr Swinney: I noticed that the First Minister latched on to the issue of waiting times, which are up by 10 per cent since he made a difference by coming into Government. The one policy that I raised that he did not recognise was the abolition of the Skye bridge tolls. We know that the Liberals have dumped that policy. Mr Wallace will not be here to answer questions next week, but I am sure that he will have to come back to rescue the Labour Administration when it implodes. Does he agree that it is not appropriate today for us to say goodbye, but that we should say merely, "Au revoir"?

Mr Wallace: Mr Swinney just referred to a policy that was not in the programme for government. He will acknowledge that the Skye bridge tolls have been frozen, so in real terms they have gone down considerably in two and a half years. What Mr Swinney does not appreciate is that if one is in a partnership Government, one must reach consensus on the programme that is to be followed. We have reached a consensus on abolishing tuition fees, on reintroducing student grants, and on delivering free personal care for the elderly. Those are issues on which I am happy to have consensus.

On Mr Swinney's final point, I say only this: when the history books are written it will be found that I might not have discharged the duties of First Minister for as long as other people did, but I probably did it more often.

Prime Minister (Meetings)

2. David McLetchie (Lothians) (Con): To ask the acting First Minister when he will next meet the Prime Minister and what issues he intends to raise. (S1F-1390)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I intend to be at the British-Irish Council meeting on 30 November at which the Prime Minister will be present.

David McLetchie: I am sure that in those discussions the Prime Minister will be interested in the cronyism that is prevalent in the Scottish Labour party, although the Prime Minister is no stranger to cronyism. The acting First Minister will recall that in launching the consultation document on modernising public appointments, Mr Jack McConnell said that the big issue is

"who is appointed and how they are selected."—[*Official Report*, 9 February 2000; Vol 11, c 846.]

This week, I received from Angus MacKay an answer to a written question. That answer showed that since Labour came to power, 60 per cent of public appointees who declared a political affiliation were Labour supporters and that the figure since January 2000 has risen to 75 per cent. Is the acting First Minister happy to defend that situation?

Mr Wallace: There are lies, damned lies and statistics. As Mr McLetchie well knows, of more than 1,000 appointments that have been made by ministers since 1996, 87 per cent have not declared a political affiliation. Mr McLetchie also knows that the Executive introduced an appointments procedure that is independent and transparent. That procedure is overseen by the Commissioner for Public Appointments and independent assessors sit on every interview panel.

I take this opportunity to pay tribute to the many people in Scotland who give willingly of their time, experience and talents to make a public contribution to the running of the nation. We should all be grateful for that. To denigrate those people, as some of Mr McLetchie's recent utterings have done, misses the point.

David McLetchie: I denigrate no one, but the question about political activities relates only to the preceding five years and—amazingly—being a member of a political party is deemed not to be a political activity.

The statistics in the written answer from Angus

MacKay also show that in the period between 1 July 1996 and 31 December 1998, not one declared Liberal Democrat supporter was appointed to a public body in Scotland. However, when proportional representation gave the Liberal Democrats a share of power in the Scottish Executive, all of a sudden Liberal Democrat supporters started to be appointed to public bodies in Scotland. Does not that demonstrate that proportional representation brings about proportional cronyism?

Mr Wallace: Of the 1,015 appointments that were made between 1 July 1996 and 31 March 2001, nine declared their affiliation to the Liberal Democrats. That is not proportional in anyone's book and, as a matter of interest, 23 appointments were Conservatives.

Mr Kenneth Gibson (Glasgow) (SNP): What about the Scottish National Party?

Mr Wallace: There were eight SNP appointments, so there is not much between us.

Tommy Sheridan (Glasgow) (SSP): Are there any socialists?

Mr Wallace: I am not sure whether there is a box to tick for that.

Mr McLetchie has spoken a lot about cronyism. We would welcome hearing from him the policies that he proposes in order to tackle cronyism. For 18 years I sat in the House of Commons and saw Conservatives make public appointments. No party in this Parliament knows more about cronyism in public appointments than the Conservative party.

Mr John Home Robertson (East Lothian) (Lab): Will the acting First Minister remind the Prime Minister that David McLetchie remains implacably opposed to the system of proportional representation that has given the Tory party 18 seats in this Parliament, under the terms of the Scotland Act 1998? That was a remarkable piece of political generosity. Will the acting First Minister further remind the Prime Minister that David McLetchie is a wonderful human being whose commitment to the devolution settlement is entirely convincing, or does he think that I may have missed something?

Mr Wallace: It is interesting that the Conservative party, which denounces proportional representation, is only too pleased by the fact that it has 18 members in this Parliament. I do not object to that, because I support the system. The fact that the Parliament has 18 Conservative members is a reflection of the fact that we have a PR system rather than a first-past-the-post system.

Whatever Mr McLetchie thinks about devolution in the bold new politics of Scotland, he is quoted

today as saying that he hopes this afternoon to beat Dennis Canavan. That illustrates the ambition of the Conservative party and where it has set its sights.

Tourism

3. Tavish Scott (Shetland) (LD): To ask the acting First Minister what proposals the Scottish Executive has for the delivery of effective support to Scottish tourism. (S1F-1393)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): Early in the new year we will publish a framework for action, including the new strategy for marketing Scotland that was announced at the industry conference earlier this week. At that conference the Minister for Enterprise and Lifelong Learning also announced a review of how area tourist boards can best deliver support for the industry.

Tavish Scott: Does the acting First Minister accept that a move away from geographical marketing by VisitScotland could squeeze out the island tourist boards, which would not be the right approach for the northern isles or the Western Isles? Is he aware that last week the Scotland stand at the world travel fair in London was augmented by representatives of Orkney Tourist Board, Shetland Islands Tourist Board and Western Isles Tourist Board—the only area tourist boards that were so represented? Does he accept that for many tourist businesses in peripheral areas such as the islands the key issue is not the structure of the industry, but the cost of getting to those places? Will he redouble the Executive's efforts to focus on transport costs?

Mr Wallace: As the person who with Calum MacDonald MP urged Lord James Douglas-Hamilton when he was the minister responsible for tourism to keep separate tourist boards in Orkney, Shetland and the Western Isles, I know how compelling Tavish Scott's case is. However, there is no need to choose between supporting area boards and focusing on key activities. Branding for outdoor activities, culture and business tourism can enhance a geographical focus. We all want Scotland to be better and more effectively marketed and we want to increase the attraction of Scotland to people from other parts of the United Kingdom, Europe and the United States.

I take the point that Tavish Scott made about costs. He will be aware that the Scottish Executive is making a substantial investment in new vessels for the northern isles and in piers infrastructure. He will also be aware of the subsidy that is given to Highlands and Islands Airports Ltd, which helps to reduce what I accept are very high fares. I know that air fares are high because I use the service weekly. We want to continue to explore with airlines ways in which to reduce fares. However,

that matter is in the hands of private commercial airlines.

Ms Margo MacDonald (Lothians) (SNP): I would like to repeat a question that I put to the previous First Minister in June this year. Will the acting First Minister appoint a minister for tourism? If not, why not?

Mr Wallace: There is a Cabinet minister—Wendy Alexander—who has responsibility for tourism. There is a deputy minister—Alasdair Morrison—who has very specific functions in relation to tourism. In what are very difficult circumstances for the tourism industry this year, they have both been very effective in arguing the case for Scottish tourism. It will be for the new First Minister to decide whether there will be a minister for tourism.

David Mundell (South of Scotland) (Con): Will the acting First Minister join me in congratulating those who work in tourism in Dumfries and Galloway and the Borders on the way in which they have sought, through working with the local area tourist boards, to bounce back from the foot-and-mouth outbreak?

Does the acting First Minister share the concerns—to which Tavish Scott alluded—that if the area tourist boards are broken up, the tourism industry in the Borders and in Dumfries and Galloway might not have its voice heard in a more centralised structure?

Mr Wallace: I have visited Dumfries and Galloway and the Borders in recent months and I echo David Mundell's comments. The local industry has made considerable efforts to engage with VisitScotland to ensure that those areas recover and become again the attractive destinations for tourists that they rightly should be. The local industry has also made efforts to ensure that the areas will be able to develop their tourism industry in the year ahead. The Executive has helped substantially to increase the marketing effort that was made. The roles that were played by Dumfries and Galloway Tourist Board and Scottish Borders Tourist Board have been critical in ensuring that the industry is able to combat the damaging effects of foot-and-mouth disease.

Voluntary Sector

4. Cathy Peattie (Falkirk East) (Lab): To ask the First Minister how the Scottish Executive will ensure that the voluntary sector is adequately resourced. (S1F-1404)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): Scottish Executive support for the voluntary sector stands at record levels. Direct support of £39 million has been provided for 2001-02, which is an increase of 70 per cent since 1998-99. In addition, my colleague

Jackie Baillie yesterday announced the distribution of £304 million of indirect support to be provided in this financial year to voluntary organisations through public bodies such as Communities Scotland, health boards and local enterprise companies. Following consultation, we are also examining with the sector how direct funding can be further improved.

The Presiding Officer: I call Christine Grahame. *[Interruption.]* I beg members' pardon—I call Stewart Stevenson. *[Interruption.]* I am sorry. Is Cathy Peattie going to ask a supplementary question?

Cathy Peattie: Yes.

The Presiding Officer: Please go ahead. That was my fault—I should have called Cathy Peattie first.

Cathy Peattie: As that money will go to agencies such as the health boards or Scottish Natural Heritage, will the acting First Minister give an assurance that it will reach the voluntary sector?

Mr Wallace: Yes. That money is clearly intended for the voluntary sector and those who are in receipt of it know that we expect that money to reach the voluntary sector.

Stewart Stevenson (Banff and Buchan) (SNP): Is the acting First Minister aware that local rural partnerships, such as the Banffshire Partnership Ltd, are experiencing difficulties in obtaining payments under the objective 2 scheme? Those difficulties have been caused in particular by the fact that the rules for making such payments were finalised only after the closing date had passed for the submission of applications. That is a real hardship in continuing retention affecting partnerships. In other words, it is c-r-a-p—crap.

Mr Wallace: I am sorry that Mr Stevenson's final comments spoiled a genuine question. However, he raised an important matter that I was not aware of. I will ensure that the matter is brought to the attention of the relevant minister and we will try to find an answer to his question.

Robert Brown (Glasgow) (LD): I draw the minister's attention to the voluntary sector's complaint about the amount of time that organisations spend chasing new funding. Does he agree that the main problem with voluntary sector funding is at local government level, given the deplorable lack of progress that local councils have made in putting in place longer-term core funding, in particular three-year funding? Is the Scottish Executive taking action to encourage or cajole local authorities to enter into longer-term arrangements with the voluntary sector?

Mr Wallace: I am well aware that much of the

time and effort of people who have expertise to contribute is taken up in putting together funding packages. That is why the Executive encourages three-year funding for voluntary organisations. Indeed, as Robert Brown knows, we have given indicative funding to local authorities for a three-year period, which should, in turn, enable them to offer three-year funding to voluntary organisations.

Prosecution of Crime

5. Christine Grahame (South of Scotland) (SNP): To ask the First Minister what confidence the Scottish Executive has in the prosecution of crime in Scotland in light of the outcome of the Andrew Aspinall case. (S1F-1402)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I have full confidence in the Crown Office and in the police. The sheriff's decision in the Aspinall case will be studied carefully to see whether any changes are needed in either law or procedure to prevent such a situation arising again.

Christine Grahame: I thank the acting First Minister for his answer. Following the collapse of the case against an alleged paedophile, it appears that the police tried to shift the blame on to that bogeyman, the European convention on human rights. In fact, the case was sabotaged by the police's blunder over the execution of a warrant.

Does the acting First Minister have confidence that the police inquiry into this disastrous and expensive mess will be objective and open? Does he agree that the public would have more confidence if he were to direct—if he remains Minister for Justice—that there should be independent inquiry, the report of which should be placed before the justice committees?

Mr Wallace: I share Christine Grahame's view and was somewhat bemused when I heard that the European convention on human rights was being blamed. As far as I could see, the ECHR bore no relation to the decision that was made.

It is important to point out that the warrant was obtained in accordance with standard procedure. The matters are not black and white. The courts must take into account the rights of citizens to be protected from illegal or irregular invasions of their liberty, and the interests of the state in securing evidence of the commission of crime. Future procedure will be considered further in the light of experience of the case in question, especially now that—as I learned this morning—the sheriff's judgment is available.

Business Motion

12:31

The Presiding Officer (Sir David Steel): We come now to business motion S1M-2477, in the name of Tom McCabe.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Wednesday 28 November 2001

12.00 noon	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	First Minister's Motion to appoint Scottish Ministers
<i>followed by</i>	First Minister's Motion to appoint junior Scottish Ministers
2.30 pm	Stage 1 Debate on the Community Care and Health (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of the Community Care and Health (Scotland) Bill
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business – debate on the subject of S1M-2222 Maureen Macmillan: Gaelic-Medium Education

Thursday 29 November 2001

9.30 am	Scottish National Party Business
<i>followed by</i>	Business Motion
2.30 pm	Question Time
3.10 pm	First Minister's Question Time
3.30 pm	Executive Debate on Social Justice
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business – debate on the subject of S1M-2436 Mr Mike Rumbles: Digital Hearing Aids and Review of Audiology Services

Wednesday 5 December 2001

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Equal Opportunities Committee Inquiry into Gypsy Travellers and Public Services
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business – debate on the subject of S1M-2175 Ms Sandra White: European Year of Languages 2001 & BSL

Thursday 6 December 2001

9.30 am Stage 1 Debate on the Water Industry (Scotland) Bill

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

12.00 noon Ministerial Statement

followed by Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Executive Debate on Improving Scotland's Youth Justice System to Build Safer Communities

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – debate on the subject of S1M-2428 Mr Kenneth Macintosh: 2002, Autism Awareness Year

(b) that the Justice 2 Committee reports to the Justice 1 Committee by 26 November 2001 on the Diligence against Earnings (Variation) (Scotland) Regulations 2001 (SSI 2001/408) and by 4 December 2001 on the Pensions Appeal Tribunals (Scotland) (Amendment) Rules 2001 (SSI 2001/410);

(c) that Stage 1 of the Tobacco Advertising and Promotion (Scotland) Bill be completed by 26 April 2002;

and (d) that Stage 2 of the School Education (Amendment) (Scotland) Bill be completed by 29 November 2001.—
[*Euan Robson.*]

Motion agreed to.

Parliamentary Bureau Motions

12:31

The Presiding Officer (Sir David Steel): I call Euan Robson to move motion S1M-2466, on the designation of lead committees.

Motion moved,

That the Parliament agrees that the Education, Culture and Sport Committee is designated as lead committee in consideration of the School Meals (Scotland) Bill and that the Local Government Committee, the Health and Community Care Committee and the Social Justice Committee be secondary committees.—[*Euan Robson.*]

The Presiding Officer: I call Euan Robson to move motion S1M-2465, also on the designation of lead committees.

Motion moved,

That the Parliament agrees that the Local Government Committee is designated as lead committee in consideration of the Marriage (Scotland) Bill and that the Justice 1 Committee and the Justice 2 Committees be secondary committees.—[*Euan Robson.*]

Decision Time

12:31

The Presiding Officer (Sir David Steel): We have been having some electronic problems this morning, but we now come to decision time. There are five questions to be put.

The first question is, that motion S1M-2307, in the name of Angus MacKay, on the general principles of the Scottish Local Government (Elections) Bill, 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)
 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)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Etrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Ms Margo (Lothians) (SNP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (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)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (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)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 64, Against 49, Abstentions 0.

Motion agreed to.

That the Parliament agrees to the general principles of the Scottish Local Government (Elections) Bill.

The Presiding Officer: The second question is, that motion S1M-2440, in the name of Angus MacKay, on the financial resolution in respect of the Scottish Local Government (Elections) Bill, be agreed to.

Motion agreed to.

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Local Government (Elections) Bill, agrees to any increase in expenditure payable out of the Scottish Consolidated Fund in consequence of the Act.

The Presiding Officer: The third question is, that motion S1M-2458, in the name of Susan Deacon, on the NHS Reform and Health Care Professions Bill—UK legislation—be agreed to.

Motion agreed to.

That the Parliament endorses the principle that the Council for the Regulation of Healthcare Professionals, which is to be created to oversee the regulatory bodies for healthcare professionals under the NHS Reform and Health Care Professions Bill, should also have power to oversee any regulatory bodies which might be established in future and which fall within the devolved competence of the Scottish Parliament; agrees that the Council be made accountable to the Scottish Parliament in respect of such of its functions as fall within devolved competence; agrees that the function should be conferred upon Scottish ministers of appointing one of the members of the Council, agrees that power should be conferred on Scottish ministers to make payments and loans to the Council, and finally agrees that the relevant provisions to achieve this end in the Bill should be considered by the UK Parliament.

The Presiding Officer: The fourth question is, that motion S1M-2466, in the name of Tom McCabe, on the designation of lead committees, be agreed to.

Motion agreed to.

That the Parliament agrees that the Education, Culture and Sport Committee is designated as lead committee in consideration of the School Meals (Scotland) Bill and that the Local Government Committee, the Health and Community Care Committee and the Social Justice Committee be secondary committees.

The Presiding Officer: The last question is, that motion S1M-2465, in the name of Tom McCabe, on the designation of 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 Marriage (Scotland) Bill and that the Justice 1 Committee and the Justice 2 Committees be secondary committees.

Contract Research Staff

The Presiding Officer (Sir David Steel): Members' business today is a debate on motion S1M-2184, in the name of Alex Neil, on contract research staff. I call for silence in the chamber.

Motion debated,

That the Parliament recognises that contract research staff in Scotland's universities and research institutes are one of the most significant assets in Scotland's knowledge economy; notes that more than 90% of such staff are employed on insecure fixed term contracts, resulting in a systematic failure to properly exploit our science and social science base to the benefit of the Scottish economy and society; further notes that this highly educated human resource, comprising graduate, postgraduate and postdoctoral level workers, is subject to constant wastage, to the detriment of Scotland's universities and economic potential, and believes that the Scottish Executive should act with clarity, urgency and determination to secure a complete overhaul of the management of the contract research workforce with a view to eliminating the current insecurity and wastage and establishing a radical new approach in partnership with higher education employers and representatives of the research staff.

12:34

Alex Neil (Central Scotland) (SNP): The business bulletin has two similar or parallel motions. The first, which we are about to debate, is in my name; the second, on people management in our universities, is in the name of Richard Simpson. I hope that we will have the opportunity in the near future to discuss Richard's motion as well as mine, because it covers various issues that I would certainly like to support—in particular, the need for equal pay for female academic staff in our universities.

My motion is specifically related to the plight of our contract research staff in the 14 universities in Scotland. There are 5,000 such staff and more than 94 per cent of them are employed on fixed-term contracts. Most contract research staff are in low-grade jobs: 57 per cent are on research grade 1A; 23 per cent are on research grade 1B; and only 10 per cent are on research grade 2. They face constant insecurity. Between 1998 and 2000, more than 80 per cent of contract research staff experienced a change in their contract, and more than 60 per cent experienced at least two changes.

Contract research staff often have relatively poor working conditions and long hours are fairly standard. In 66 per cent of cases, working hours were not stipulated. Long hours are endemic: 29 per cent report working between 49 and 59 hours a week, and 7 per cent report working 60 or more hours a week.

Career development opportunities are very limited. At any one time, around 40 per cent of

contract research staff are actively seeking their next post. The most important factors leading to an exit from the job are insecurity, poor promotion prospects and low pay. Around one in three contract research staff in post in 1998—the most recent year for which figures are available—had left by 2000.

Why is this such an important issue? We all acknowledge the importance of our universities and the research that they do. They are important to academic development and educational achievement, but they also make a wider contribution to Scottish society and the Scottish economy.

A few weeks ago, during private members' business, we had a debate on the value of nurses. There was unanimous agreement on the need to give our nurses the status that they deserve in our society. After two decades of campaigning, the time has come for us to give contract researchers in our universities the status that they deserve. They are often the seedcorn for development that is then taken up by full-time professional researchers. Without the support of those 5,000 contract researchers, many projects that have come to fruition would not have done so. Many contracts that come to Scotland would not do so without the intellectual and academic input of those contract researchers.

Scotland suffers because of the way in which we treat our contract researchers. Earlier this week, I received a letter from Germany, from Dr Jonathan Butler, who is a mathematician who tried to develop an academic career in Scotland. He was ready and willing to pass on his knowledge to future generations and to develop new theories and research. I will quote his letter:

"Trying to develop a university career in such a hostile environment was difficult, uncertain and demoralising."

After a series of poorly paid short-term contracts, he moved into industry where he was offered a permanent contract, twice his university salary and a lucrative bonus package into the bargain. Our best and brightest are leaving Scotland because they do not have the job prospects, the security and the pay that they deserve.

Without a dedicated and highly motivated contract research staff, the Executive will not be able to implement its science and knowledge strategies. We must realise that in order for the Parliament and the Executive to achieve what is set out in "A Smart Successful Scotland" and all the other strategy documents that we have discussed over the past two and a half years, we have to give our contract researchers their place. They are the people at the coalface. Often, in some of the most prestigious publications, if the names of the contract researchers appear at all, it

is as a footnote. They are not given equality of esteem or status. They are not given the employment rights that they deserve.

The Association of University Teachers and others have been campaigning on this issue for more than 20 years. Now that we have a Parliament in Scotland that is dedicated to making Scotland a knowledge economy and is dedicated to our universities we must live up to their aspirations. We must recognise the plight of contract research staff and, most important, we must do something about it.

The Deputy Presiding Officer (Patricia Ferguson): Many members have indicated their wish to take part in the debate and it will be impossible to call them all if members speak for a full four minutes. I ask members to keep their speeches as short as possible.

12:41

Des McNulty (Clydebank and Milngavie (Lab): I declare an interest as a former president of the Association of Lecturers in Scottish Central Institutions, and as someone who worked in Glasgow Caledonian University for 20 years and spent five years as a member of the court of the University of Glasgow.

When talking about universities it is commonplace to talk about the binary system, referring to the split between old and new universities. It is equally important to talk about another two-tier system in higher education: the split between those people who enjoy contractual protection in their employment as established lecturers and those whose employment rights are limited and whose security of employment is precarious—the contract researchers. It is striking how significant that group is.

There are 5,000 fixed-term contract research staff in Scotland, representing almost 5 per cent of fixed-term employees. Higher education has a spectacular share of that group. Many contract researchers have been in that position for a long time. The proportion of academic staff on fixed-term contracts has increased from 39 per cent to 42 per cent in the older universities. In the post-1992 universities, the number of academic staff on fixed-term contracts is now more than 50 per cent. The average length of service of contract researchers in some disciplines can stretch between six and 10 years. I have friends in the higher education system who have been on contract after contract, waiting for renewal until the last minute when they know that their employment can be secured. That is no way for them to construct a career and it is no way for us to conduct and manage research.

The Enterprise and Lifelong Learning Committee

conducted an inquiry into the funding of teaching and research in higher education. One of our key conclusions was the importance of university research for the success of our economy. Within that we must ensure that the science strategy informs the ways in which we develop arrangements in the university sector. In that context we must bring the incentives for staff into line with achieving the objectives that we set in the strategy.

We must ensure that the universities are implementing a research agenda that fully involves staff and ensures that they are properly motivated to carry out their task. The only way to progress is by changing the terms of reference for contract research staff and giving them a much greater degree of security. I recognise that that will not be achieved easily and that we must take a partnership approach between the trade unions and the universities. It is a long-awaited task, which is important not only to the university sector but to Scotland as a whole. If we want to be a smart, successful Scotland, our smartest people, who are crucial to our success, need to be engaged in the process. They must be secure about their position in society and have a basis for developing their careers that will keep them here and contributing to Scotland.

12:45

Mr David Davidson (North-East Scotland)

(Con): I do not wish to appear to be a party pooper, but I cannot agree with everything that Alex Neil said. His classic comment was that this Parliament is dedicated to knowledge and universities. That may be the theory, but it is not true on the ground. That is one of the issues surrounding the debate that Alex Neil has managed to secure today, on which I congratulate him. It is part of a larger picture. I appreciate why he is focusing on one part of it.

It is true that fixed-term contracts offer people experience, but there is a need to develop a marketplace, so that those people can progress and develop and follow their interests into different institutions, because there is no guarantee that when someone gets to a particular speciality, does the job and wants to move somewhere else for personal development, there will be another job to go to. That has been highlighted by Des McNulty and Alex Neil. There is a need to consider the issue in the round. I would like to think that the Parliament will take that route.

I have worries about some of the comments that have been made, in that there is a requirement for flexibility for the institutions, but at the same time it should not be exploitative, because it is important that all good researchers start somewhere and develop. If they are encouraged and nurtured,

which I support, that can only be good for the future of what I call the higher education industry in Scotland. It is a vital part of our economy.

We do well in the world marketplace in terms of how much research we do and the quality of that research, but there has to be better linkage between doing research for the sake of research and turning that research into something practical that can be applied, can benefit the economy and can create jobs. There should be linkage with the work that is done by contract research staff as part of their teams, which is developed through commercialisation programmes, to the benefit of the economy.

As the Minister for Enterprise and Lifelong Learning will recall, I have raised with her the fact that there is a problem with the funding packages. That will influence how universities can establish a decent reward system and provide incentives to researchers to come, to stay and to feel that they have developed fully. At the moment, about £14 billion is spent on research and development in the UK. Of that, £4.5 billion is invested by the public sector. That is not well defined. I got the information from a website.

The problem is that, under the current rules in universities, it is almost impossible for commercial money to mix with university money and charity money all in the one package to develop the research programmes that we need contract researchers to do. It is essential that we allow mixed funding, be it from the independent, private or public sectors, to set up decent career structures for these people and to use them to the best advantage. We are no longer a screwdriver economy; we are in the business of knowledge management and the application of knowledge. That is where Scotland has to go. This Parliament has to recognise that in the round—specifically the contribution that the various grades of contract workers make to the foundation of the institutions that we seek to support today.

12:49

Tavish Scott (Shetland) (LD): I cannot agree with David Davidson's remarks. This debate is taking place for the reasons that Alex Neil and Des McNulty rightly raised. The suggestion that market forces deliver a solution palpably does not describe what happens. That is why this debate is taking place and is, rightly, being attended and spoken in by many members across the chamber.

I share the concerns that have been expressed by Alex Neil and Des McNulty. I have received representations from individuals and from the AUT Scotland on this matter. Indeed, my knowledge has been greatly helped by the work that the Enterprise and Lifelong Learning Committee has

done on research funding and which we concluded not so many weeks ago. Des McNulty made a good point about the importance of the science strategy and how we can deliver that strategy using the best available people. Surely part of that is the essential focus that Alex Neil's debate brings to terms and conditions of employment.

Mr Davidson: Will the member give way?

Tavish Scott: No, I only have two or three minutes and David Davidson has had his turn.

In a former life, I worked as a contract staff member for the then Scottish Development Agency. In my own position, the contract did not matter at all. However, I remember the concern of many members of the then SDA who did have a difficulty with being contract staff because they had worries about their future. Alex Neil's statistic about 40 per cent of research staff looking for a new position at any one time is a sobering statistic for public policy. As has been said, that statistic must be addressed.

I am conscious that many colleagues wish to speak. I will just make two points. First, the AUT is to be commended for making a range of proposals. Government is often asked to fix something but those who are doing the asking never seem to suggest how it can be fixed. In fairness, the AUT has suggested a number of different models for addressing this difficult issue. I hope that the minister will consider those options when winding up and enlighten the chamber as to how the issue is being pursued.

Secondly, I raise the issue of the Scottish Higher Education Funding Council. I acknowledge that the council has introduced the contract research staff initiative, which has considered the management and redundancy issues surrounding contract staff. However, on the basis of information that I have received, is that enough? Could more not be done in that area, given that there are 5,000 fixed-term contract staff? Again, I hope that the minister will update Parliament on what is happening through SHEFC and what progress is being made on the career progression survey that I believe is under way, or nearly concluded.

Scottish universities are multimillion pound institutions. They receive many hundreds of millions of pounds from the public purse. I believe in the spirit of the remarks made by other members. We should value those essential members of academia in their building of a stronger and more economically viable Scotland.

The Deputy Presiding Officer: I would be grateful if members would keep to about three minutes, because we are running short of time.

12:52

Marilyn Livingstone (Kirkcaldy) (Lab): I thank Alex Neil and Richard Simpson for their motions, which bring a very important issue to the top of the Parliament's agenda. That must be welcomed. I will keep my remarks as brief as possible.

We are all agreed on the importance of the research base to the Scottish economy—there is no argument about that. The recent parliamentary debate on the SHEFC review highlighted the issues that we are concerned about: the research assessment exercise and other research funding.

Following on from what Tavish Scott said, I definitely agree with David Bleiman from the AUT—who is in the gallery—that the success of Scotland's science strategy rests on our researchers. That came over to the Enterprise and Lifelong Learning Committee as it carried out its review. We all value staff in the universities and the further and higher education colleges. As Des McNulty said, 5,000 contract research staff are one of the nation's most significant assets.

I think that pay is the main issue if we want to encourage young people at school level and attract back young and not-so-young people who have left Scotland to work abroad. During our inquiry, we heard about the brain drain and the lack of people coming into science. That is a big issue for the Enterprise and Lifelong Learning Committee and the Parliament to examine. If we do not consider the whole issue and provide a solid career structure that gives people the same employment rights as those of full-time, permanent staff, we will have a difficult job in front of us.

The lifelong learning review has discussed the simplification of funding and all the strategic issues surrounding lifelong learning. It has been highlighted that funding—rather than consideration of the needs of Scotland's research base—is driving matters. Funding is the driver in many areas of lifelong learning. I would like ministers to consider that.

I will briefly talk about equal pay for women. The committee has seen statistics showing that fewer women are entering science and technology. We must tell women and everyone else that science offers a good career with a good structure that allows progression through the sector.

We must create an environment of security. I welcome the debate.

Alex Neil: Given the number of people who want to speak in the limited time, may I move a motion to extend the debate by 15 minutes?

The Deputy Presiding Officer: I am minded to accept a motion to add up to 15 minutes.

Motion moved,

That the meeting be extended by up to 15 minutes.—
[*Alex Neil.*]

Motion agreed to.

The Deputy Presiding Officer: I stress that the extension does not mean that I will fit in everyone who wants to speak. I ask members to keep their speeches tight, as many members wish to speak.

12:56

Mr Kenny MacAskill (Lothians) (SNP): As is customary, I congratulate my colleague Alex Neil on the motion. I am conscious that other members wish to speak and I am grateful to the Presiding Officer for allowing a motion to extend the debate. The level of attendance at the debate is testimony to the interest in it. This has been one of the best-attended members' business debates for a while.

I go along with the points that were made eloquently by my colleague Alex Neil and by others. A crisis is pending in higher education. As he said, talent is haemorrhaging and there is a brain drain. Unless that is addressed, we will all pay the price in our communities and in the economy.

There is a danger of a collapse in morale in the AUT and among those who work in the sector. As others such as Des McNulty and Tavish Scott—members from different parties—have said, discussion of the matter has been postponed and those in the lecturer circuit say that that cannot continue.

McCrone dealt with the situation in primary and secondary education. That is causing an imbalance. We must recognise that salaries must be dealt with. We cannot continue to allow people to work on the basis that doing so is virtuous, that the institution in which they work is virtuous and that they are contributing to a greater cause. Those people must be rewarded.

We must recognise why such work is important. Alex Neil talked about the importance of research, which is fundamental. Contract research staff do policy work that is important not only to the Executive, but to members of the Parliament, whether on the Government benches or not. Contract research staff provide the knowledge and the basis on which we conduct much of our work.

Contract research staff also deal with a growing teaching load. The idea that research staff and teaching staff are differentiated is not often borne out. It must be factored into consideration that research staff do some teaching.

Tavish Scott mentioned that security of employment can be just as important as the rate of pay. People in any employment will say that their

terms and conditions are often as important as the pay that they receive. An extremely highly paid individual who works in a stressful situation in an institution that does not meet health and safety regulations may not wish to remain with that institution. We must address that.

As Alex Neil and Tavish Scott said, we must deal with pay. The minister must take it on board that clearer directions must be given to SHEFC. Blunkett was clearer in his directions about pay than the Executive has been. That must be addressed.

We cannot simply place all the blame on the institutions. I agree with what David Davidson said about the underfunding of research. Research is significantly underfunded by the state and its funding is in deficit. I understand that the figures vary by institution between 39 per cent and 90 per cent. Until we increase funding for research, we will not have enough money for those at the coalface. I therefore support the motion.

12:59

Mike Watson (Glasgow Cathcart) (Lab): I will not repeat much of what has been said. I welcome the motion, for which members have shown broad approval and I welcome Richard Simpson's motion, which is closely allied to it.

Some of the statistics that Alex Neil mentioned should be highlighted. I was struck particularly by the fact that many research staff spend a long time on fixed-term contracts. Some people have spent 20 years on a succession of fixed-term contracts. That cannot do anything for job security. It seems that universities have slipped into a fixed-term mentality. Other members have argued, and I agree with them, that there is no need for universities to have done so—certainly not to that extent.

In a redundancy situation, fixed-term contract staff are always the first to go. When they try to buy homes or get loans, they are always penalised by banks and other lenders, simply because they cannot give the long-term guarantees on income stream that are required by many lenders. That is extremely unfortunate. We have to recognise the role of research staff and value it more highly.

I am very taken with some of the information that has been provided for the debate by the AUT. The AUT proposal contains, among many suggestions, three models for debate. I will not go into them in detail, but will mention the flexibility model in which, from day one, career planning and staff development are geared to allowing individuals to develop their medium to long-term career employability.

The AUT also proposes a collaboration model in

which partnerships could be formed between universities such as the universities of Glasgow and Strathclyde and the universities of Dundee and St Andrews. That model would allow staff to be fully utilised in a flexible way between the universities. It would also give staff greater long-term stability. It is clear that there is no shortage of suggested ways of improving the situation. We need to find a way of doing that.

I urge the ministers to move quickly to facilitate discussions on the matter involving SHEFC, the universities and the unions that represent staff. That would enable an even greater contribution to be made to the development of Scotland's economy.

13:02

Robin Harper (Lothians) (Green): I have to declare an interest. I am the rector of the University of Edinburgh. To an extent, that circumscribes my remarks.

I was one of the first members to support Alex Neil's motion. The situation had been a matter of acute concern for some time for me before I was elected to the Parliament. Now that I am more aware of it, it continues to be a matter of concern.

I will refer to a point that was made by David Davidson. Universities find it increasingly difficult to fund blue-sky research, due to the ever-decreasing amount of money that is provided from public funds. That must be a matter of concern to universities, researchers and to the Executive. All too often, before funds are given for research to be carried out, universities have to say what the result of the research will be.

I decided that my contribution to the debate would be brief. I will conclude by asking the Executive to meet, as soon as possible, SHEFC, the AUT and representatives of the universities. That will allow a problem that has been left on the shelf for far too long to be addressed.

13:03

Dr Richard Simpson (Ochil) (Lab): I have two declarations to make. First, I have a son who is a short-term contract researcher with a university. Secondly, I have an honorary chair at Stirling University, where I have a research unit that employs short-term contract staff. I thank members for the support that they have given to the motion I lodged that is similar to the one lodged by Alex Neil.

I will not repeat what everybody else has said. There is agreement that the situation is unsatisfactory. I will instead throw out one or two questions. Was research worse back in the 1960s and 1970s when there were only 6,000 short-term

contract workers? Is it better now that there are 39,000 contract workers in the United Kingdom? Has the process of casualisation, which was part of a philosophy that ranged across all our services, been to the benefit of research in our institutions? The answer is no.

What was introduced as something that might be appropriate for someone at the beginning of their career, as a first contract, has become a way of life for far too many people. In at least one institution, 12 per cent of the contract staff, who represent a substantial proportion of the total staff of that institution, have contracts that have revolved over a period of 10 years. That cannot be good for the knowledge economy that we are trying to build.

What began as a concept that would increase flexibility has become a way of life for far too many institutions. We need to change that. The damage is evident and the waste is clear. We cannot afford to treat so many bright, young people as a casual underclass with inadequate terms and conditions. The sort of partnership arrangements that the University of Stirling in my constituency is introducing are important, but the talk that has gone on for some time with the SHEFC initiative has got to stop. It is time for action to manage this group of people effectively for the benefit of Scotland.

13:06

Donald Gorrie (Central Scotland) (LD): Many cogent points have been made in support of Alex Neil's excellent motion. I would like to broaden the debate out. The treatment of contract research staff is mirrored in almost every aspect of our lives. There are people on short-term contracts in health, local government, quangos and the voluntary sector. It was said in response to a question a few minutes ago that we are putting much more money into many more voluntary activities. That is good, but we are funding projects that build up a team for three years.

It is exactly the same with contract researchers. People are just beginning to get a good grip on the job and build up a lot of knowledge when the whole thing ends. They spend the second half of their contract seeking their next job. The whole thing is amazingly unproductive and inefficient. Short-termism is short-sighted, but it is endemic in almost every aspect of our public life. I do not know how we can shift it.

The people right at the top will have to use their power and persuasion and the funding mechanisms to ensure continuity and to ensure that people have security in what they are doing. It involves a bit of trust, which at the moment does not exist. Short-term contracting is based on

mistrust. We have to trust people to do a good job, build up good teams of people and not sit about smoking but do even better work. In that way, we will get better value for money.

I appeal to the minister to get the message to the Executive that we somehow have to change that short-term attitude. That message is at the heart of this excellent motion. Short-termism is a cancer in our public life and we have to deal with it.

13:08

Dr Sylvia Jackson (Stirling) (Lab): I congratulate Alex Neil and Richard Simpson on their motions. I welcome the sentiments that they contain about a complete overhaul of the management system and adopting a radical new approach, in partnership with employers and representatives of research staff.

What is badly needed is a career structure. A prospective contract researcher who wrote to me said:

"As someone who may have to face the reality of being employed as a researcher on a fixed term contract, I am concerned about the possibility of my career being far shorter than I'd like it to be. The Scottish Parliament, I think, has rather impressively addressed the issue of school teachers pay and conditions, but it has neglected problems such as these that face teachers & researchers in universities."

I speak as a former contract researcher, although that was in the 1980s. My main recollection was the flurry of activity near the end of my contract. Would it be extended? What other contract would I get? How far would I have to travel? In the end I decided that I did not want the uncertainty that came with contract research and left it to return to teaching. The figures that members have used show that mine was not an isolated case. One has to ask how much expertise is being lost as contract researchers move away from research.

Various groups have fought the cause. Alex Neil said that we have been fighting on this issue for 20 years, so it dates back to my time as a contract researcher. In education, the British Educational Research Association and its Scottish equivalent have been very active. More generally, the Association of University Teachers has been involved, as have other unions in the higher education sector. The Scottish Trades Union Congress's higher education forum has also discussed the matter with the minister and with SHEFC.

What is desperately needed is a career structure for contract researchers. That would address the problem of fixed-term contracts and the insecurity that they bring. *The Scotsman* said:

"Dickensian conditions lead to brain drain of university staff",

and reported that the AUT has stated that the situation is

"damaging Scotland's reputation for research."

Is not it possible to look to other countries where experience has shown universities a better way of doing things? We could run pilots. I know that the AUT has various models that we could pursue. Let us get going with some of those models. We very much need change in this area, and soon.

13:11

Robert Brown (Glasgow) (LD): Let me read part of a letter that I received from a constituent. It is one of a number of letters that I have received and I am sure that other members have had similar correspondence. My constituent writes:

"Both myself and my husband are contract researchers. We both live in your region, and I also work at—

she names one of the city's universities. She continues:

"Insecure, short term contracts have made it difficult for us to work in the same city, make decisions about buying a flat and make decisions about starting a family. Having a baby too close to the end of a contract means missing out on paid maternity leave and losing the right to return to finish the contract.

Please continue to take an interest in the problems of insecurity and lack of career structure in Scottish Universities and research units, which leads to a lot of stress for researchers and is grossly inefficient for employers."

This is an age in which, in many respects, we know the cost of everything and the value of nothing. It is an age of the short term and the short-sighted, where the cost accountant is king. As Donald Gorrie said, the problem is not limited to university researchers. It began in the building industry, with the insidious device of so-called self-employed tradesmen, essentially to pass the risk of the ebbs and flows of contracts from the companies to the work force. It was not a good idea there, it is not a good idea for our young teachers, doctors or nurses, and it is certainly not a good idea for research staff on short-term contracts. A greater impetus to the brain drain and to our brightest stars opting out of research and teaching cannot possibly be imagined.

It is time to take a fundamentally different approach, in partnership with employers and staff. Perhaps we should use the funding mechanisms in a more strategic way to ensure that there is a framework that offers security of employment combined with flexibility of task for those who contribute to research and teach at our universities. Nothing—but nothing—is more vital to

Scotland's future.

13:13

Dr Elaine Murray (Dumfries) (Lab): I draw members' attention to my entry in the register of members' interest, which lists my continued membership of the Association of University Teachers. I stress that that involves me giving them money, rather than them giving me money.

Like Sylvia Jackson, I have direct experience of working as a fixed-term contract researcher in the late 1970s and early 1980s, when I worked in scientific research in Cambridge and London. I had three fixed-term contracts, two of three years' duration and one of two years' duration, but I only worked 27 months of the first one, two years of the second one and one year of the third one. That was not because I was particularly fickle but because, as soon as one gets halfway through a contract, one is looking to see where the next contract will come from. In each case, I changed specialisms and in one case, I changed institutions. That is not a good way to conduct research. The project is not completed if somebody leaves early and it is unlikely that anybody else will pick up the contract if there is only a year left. In my experience, most research institutions are quite resourceful in recycling the funding that is left over.

The alternative to looking around for a contract was to try to secure additional funding for the existing one. I tried that halfway through my second contract and spent a considerable amount of time and imagination putting together a research proposal. It came back from the funding organisation with an A band, accompanied by some kind remarks but, unfortunately, not accompanied by any funding, because it was not considered to be a high enough priority. There was not much joy in going down that route.

I am talking, of course, about something that happened a long time ago—that well-known scientist, Mrs Thatcher, was Prime Minister at the time—but I am sorry to say that I have not seen things improve much since then. If anything, things are getting worse, because there has been an increase in the use of short-term contracts in research institutions.

The AUT found that, among those on fixed-term contracts, there are a disproportionate number of women and ethnic minorities, which means that they are particularly disadvantaged. The fact that employment rights do not transfer between contracts even when the contracts are from the same funding body was mentioned. That can affect entitlements such as maternity pay.

In Scotland, we pride ourselves on the quality of our science. Much of that science is performed by

people who are poorly paid in relation to their qualifications and who have no longer-term security of funding. That is not a sustainable situation.

I left science in 1988 before the birth of my first child. That was no great loss to British science, but the current method of funding research could bring losses: it means that we could lose valuable and good scientists who might make an important contribution to the Scottish economy. We need to stabilise the situation if we want the development and commercialisation of science to improve.

13:16

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): I am obliged for the extension of the debate, as are many other members who wish to speak.

The motions lodged by the convener of the Enterprise and Lifelong Learning Committee and Richard Simpson raise important issues. It is good that common themes are emerging on vital issues for Scotland in members' debates. That raises important issues about how we do things in and around Parliament. Debates on issues such as research, proof of concept and the personalisation of research funding, which are being considered by the Enterprise and Lifelong Learning Committee, reveal the innovation and scrutiny that the Parliament brings to issues that were sometimes placed on the back burner. I also pay tribute to the AUT in its campaigning role.

The minister will appreciate that all members are conscious that contract staff are often used to buffer the strain between demand and permanent faculty costs. I trust that he appreciates the consensus in the chamber that a competitive market for research funding is important, as David Davidson mentioned, but that it is also important to moderate the effects of competition on those that are sometimes less equipped to bear them. Ministers should reflect on that and report to Parliament on how best to retain, support and encourage research staff and on managing and funding research.

We will not retain some staff, but we benefit from the globalisation of research. A colleague of mine who was once at the University of Strathclyde, but who is currently in San Diego said, "You just cannae move the sun. I'm not coming back." We must reflect on that.

Alex Neil mentioned Jonathan Butler, who is an example of someone who has not been retained. He is the increasingly eminent son of Hilda and David Butler, who are not only in my constituency but are in my constituency Labour party circuit—those are two reasons to mention them.

Our institutions could not operate without contract research staff. One issue that we might consider in partnership with the AUT is how to get better data on who those groups are. We know that some derive all their income from various institutions. We do not want to lose the benefits of collaboration—the synergy work in and around Glasgow speaks volumes about the benefits of collaboration—but we want to know who makes up the growing group of contract researchers. A smaller group exists that supplements its income. As even the AUT would acknowledge, there are some who engage in research for its more diffuse rewards, if I can put it that way. We need better data.

I do not think that anyone is saying that all researchers should have permanent contracts—not all of them want permanent contracts—but the rationale should be found not only in administrative flexibility or in funding constraints.

Like Marilyn Livingstone, I am particularly interested in proceeding with work on gender divides in pay. A number of questions have been answered by the minister and I hope that we will have an opportunity to return to that subject in Richard Simpson's debate. In anticipation of that, I urge the minister to ensure that, if the Executive does not have figures on the pay divide, it gets them.

13:19

The Deputy Minister for Enterprise and Lifelong Learning and Gaelic (Mr Alasdair Morrison): I welcome Alex Neil's interest in contract researchers and appreciate that more members have remained to participate in this important debate than usual. In the few minutes that are available to me, I will try to respond to some of the points that have been raised.

I am aware that Alex Neil has spoken recently to my colleague Wendy Alexander. I repeat the assurance already given to him that the Executive recognises the valuable contribution of contract research staff to the development of Scotland's research base. We acknowledge absolutely the importance of their work in underpinning the knowledge economy and pushing forward the science strategy. A number of members mentioned that, and I agree with the points they raised.

Equally, we are aware of the problems that staff on short-term contracts face, many of which have been highlighted in this debate. We are keen to see higher education institutions continue to work to address those problems.

Wendy Alexander made clear the priority that we attach to good human resource management in higher education in her guidance letter to SHEFC

last November. In that letter she stated:

"People are our key resource in our colleges and universities".

That message was reinforced through the recent science strategy.

Better career structure and development would give contract researchers more access to mechanisms for career progression and regular appraisal. That would tackle the complaint that contract research staff often feel excluded from mainstream academic life. It would see all institutions holding reliable and comprehensive data on their contract research staff and using that data to plan and manage the group more effectively.

I come to a specific suggestion. I am aware that the AUT has called for the Executive to consider a role for Scottish Enterprise in placements for academics in industry to boost career prospects. As the science strategy is developed and the commercialisation of research moves up a gear, we may find that there are possibilities for enhancing the careers of academic staff through more structured involvement in the private sector. As members of the Parliament are well aware, the nature of responsibilities in the sector means that the Executive does not have direct control in employment matters, but as a principal source of funding for the sector, the Executive can give clear leadership and guidance wherever and however possible. We have of course increased the funding available to the sector through SHEFC by 8 per cent in cash terms in the current year.

SHEFC has been working to promote good practice in the employment and management of contract researchers through its contract research staff initiative. The council recently published a report entitled "Realising their Potential", which sets out the achievements of that initiative and the ways in which it could be developed in the future.

Today's debate is certainly timely. SHEFC is holding a conference in two weeks' time at which institutions will report on the outcome of projects that they have undertaken as part of the initiative. That will be an important conference and MSPs may participate in it and will certainly get feedback from it. In addition, SHEFC has been consulting on proposals for a new condition of grant. If accepted, the proposal would mean that teaching and research funding would be linked to progress on major policy goals from 2002-03.

If we are to improve the situation for contract research staff, three main avenues are open to us. First, ministers can continue to promote the importance of nurturing and developing the talented people in our universities. That message is being conveyed in various ways, including the guidance letter to SHEFC and policy documents

such as the science strategy. Debates such as this can also be used to press the point.

Secondly, we can ask SHEFC to develop mechanisms for encouraging good practice. That will enable the council to identify how it can support institutions so that we can be confident that improvements will be made. We are also willing to ask SHEFC to collect management information on contract research staff numbers on an annual basis. That information would provide an up-to-date picture of the proportion of staff employed on short-term contracts and the associated patterns and trends. We hope that that will be useful management information for institutions.

Thirdly, we will be interested to hear about contract staff as we proceed with the current review of higher education. The terms of reference for the review specifically recognise the valuable contribution to be made by well-managed and well-motivated staff.

We must recognise that the existence of some contract research staff in higher education is a feature of the system that we must become accustomed to. It is a product of the success of the sector in attracting project-based research funding from a range of bodies beyond Government, including major charities and industry. It is worth making the point that, over the past 10 years, the income received by SHEFC-funded institutions from research grants and contracts from bodies other than SHEFC has doubled.

Within that, the income from charities has increased threefold. That rapid growth in project-led funding creates a new and challenging management environment for higher education institutions, which seriously tests the strength of their approach to human resources. It demands imaginative solutions.

In conclusion, it is critical that we support and encourage the sector to rise to that challenge and ensure that this talented pool of individuals is managed and developed to the highest possible standards, in the long-term interest of the Scottish research base.

13:25

Meeting suspended until 14:30.

14:30

On resuming—

First Minister

The Presiding Officer (Sir David Steel): Our only item of business this afternoon is the selection of the Parliament's nominee for First Minister. Before I proceed to that, I invite members to welcome two distinguished visitors from the Westminster Parliament: the right hon Helen Liddell MP, Secretary of State for Scotland, and the right hon Iain Duncan Smith MP, Leader of the Opposition. [*Applause.*]

I have received four valid nominations for appointment as First Minister. They are, in alphabetical order, Dennis Canavan, Jack McConnell, David McLetchie and John Swinney. A copy of the announcement in today's business bulletin explaining the procedure that will be followed to select our nominee has been placed on every member's desk.

I will shortly ask each nominated member in turn to speak for up to seven minutes, uninterrupted, in support of his candidacy. After all the nominated members have spoken, I will ask members to cast their vote for the preferred candidate. A separate vote will be called for each candidate. Once all the voting has been completed, there will be a short delay while the result is verified. I shall then announce the number of votes cast, the number of votes for each of the candidates and the number of votes to abstain. A candidate will be elected if a simple majority is obtained. If no majority is obtained, the candidate or candidates with the smallest number of votes will be eliminated and we will proceed to a further round of voting. I hope that that is clear. We now begin the selection process.

14:32

Dennis Canavan (Falkirk West): I thank Robin Harper and Tommy Sheridan for nominating me. It is almost becoming an annual event.

The past few weeks have not been happy for the Scottish Executive. It is now important to learn from experience and to look ahead. A fresh start is needed. A more open, more inclusive and more accountable style of government is also needed. I know that even the new leader of the Scottish Labour party has admitted belatedly that a problem of cronyism exists. If that problem is not tackled, it could corrode the heart of government, as well as local government and the public bodies that are supposed to serve us. The early introduction of proportional representation in local government elections and the scrutiny of public appointments by a parliamentary committee would

help to ensure a more inclusive and more open style of government. However, it is not just a change of style that is required, but a change of policy. I will outline some of the policies for which I stand.

“Education, education, education.” It is now recognised that education is a lifelong experience rather than something for only one age group. It is therefore anomalous that responsibility for education should be split between two ministries. To achieve a more joined-up approach, one minister should be responsible for all education, be it pre-school, at-school or post-school education. Educational priorities should include an expansion of nursery education so that every three and four-year-old child has the right to a full-time—I emphasise “full-time”—place. In primary and secondary schools, class sizes must be further reduced. In further and higher education, a more generous student grant system should be introduced, combined with the complete abolition of tuition fees or any similar payments before or after graduation.

The Executive should support free nutritious meals for all children. It is a national disgrace that, in Scotland in 2001, about one in five children live at or below the official poverty line, yet the Executive’s target date for the eradication of child poverty is not until 2020. That means that many children who are born today are doomed to spend the rest of their childhood in poverty unless we introduce a more ambitious timetable to help them.

At the other end of the age spectrum, our pensioners also look to the Scottish Parliament for more effective action to help them. We must implement in full the Sutherland recommendations on the care of frail elderly people. We must accelerate the provision of central heating for all pensioners and the introduction of a nationwide concessionary travel scheme. We must also ensure justice for the Scottish Transport Group pensioners, some of whom are in the public gallery today.

I said that education should be a lifelong experience—so should sport, whether through participation, enjoyment or both. To give sport a higher priority, there should be a dedicated minister for sport. However, to avoid an increase in the ministerial salary bill, I would demand that all ministers accept an appropriate salary decrease. That would also create scope for a dedicated minister for culture and a dedicated minister for tourism, given the important contributions of both areas to the Scottish economy.

In Scotland we are blessed with one of the finest natural environments in the world. The mountains, glens, lochs and rivers of Scotland are not simply the property of the landed gentry, but part of our

national heritage. There was justifiable outrage that the draft land reform bill did not include a genuine right of access to the countryside. That blunder must be rectified when the bill is redrafted. Executive support should also be given to the proposed organic food and farming targets bill. That is a big priority.

On public expenditure, our priority should be investment in essential services such as education, housing and our national health service, especially to reduce waiting times. For capital projects, the private finance initiative is not good value for money and council tenants should be given a genuine choice of tenure instead of being blackmailed into accepting housing stock transfer.

Some of the policies that I have outlined would require more investment, which might use up more than the entire Scottish block grant from Westminster. The Scottish Parliament is probably the only Parliament in the world that is completely dependent on another Parliament for every penny that it spends. Consequently, this Parliament has less fiscal responsibility than a local council. The Scottish Executive must demand full fiscal freedom so that we can use the taxation system to bring about a radical redistribution of wealth and improved investment in our essential services.

Finally, I would like an enhanced role for the Parliament. Members are, first and foremost, representatives of people; if we acted accordingly, the people would be the beneficiaries. The Parliament was not created by political fixers and it is not the property of politicians or of one political party. The Parliament was created by the people of Scotland, it is the property of the people of Scotland and it must respond to the needs and priorities of the people of Scotland. If we do that, we shall build a better, fairer society in which people are recognised as equals whatever their social background, age, gender, religious beliefs or ethnic origins. We are all Jock Tamson’s bairns and the Scottish Parliament must seize the opportunity to make Scotland a land of opportunity for our people.

14:39

The Minister for Education, Europe and External Affairs (Mr Jack McConnell): This is an historic day for a number of reasons. Eleven years ago today, Margaret Thatcher resigned as Prime Minister of the United Kingdom. The person who probably did more than anyone to bring about this Parliament decided that it was time to move on. I will also always remember this date because, on this day three years ago, I was selected as Labour’s candidate for the Motherwell and Wishaw constituency. I hope that today’s vote is less of a cliffhanger than that one. I am still grateful to my

constituents—to party members and the people of the area—for giving me the honour to serve them in the Parliament. Since 1999 I have moved my home to Wishaw. In recent years the people in my constituency have seen many a hardship, but they are among the warmest and best-spirited people whom my family have ever encountered.

Geographically, Motherwell and Wishaw is a very different area from the isle of Arran, where I grew up. People from Arran are proud. They come from a variety of backgrounds and have a variety of lifestyles. Arran people care for one another, value education and enjoy sports and culture. They treasure their past, but are constantly trying to adapt to the modern world. They are inventive and kind, but want high standards from their politicians. In short, they are like all the people whom we represent. They are, indeed, Scotland in miniature.

I am very proud to be here today as Labour's nominee for First Minister. I am here because I believe that we can make a difference. I cast my first vote, aged 18, in the 1979 devolution referendum. In the years that followed, I had the privilege of helping consensus to be reached in the Scottish Constitutional Convention, where for the first time I worked with Liberal Democrat colleagues. I shared the excitement of Labour's election victory in 1997 and of the referendum that followed it. On the day of the 1997 referendum, Scots voted yes because they wanted better politics and better government and because they believed that a Scottish Parliament would focus on their priorities, delivering real improvements in everyday life.

Donald Dewar and Henry McLeish will for ever be part of that story. Together, as ministers in the new Labour Government and then as the first and second First Ministers of Scotland, they, along with us all, turned Scotland's dream into reality. In our first 30 months, they ensured that this Parliament and its Executive began to work well.

Now we must take on further challenges, with a fresh approach and a new direction. I am 41 years of age, and for all my adult life a majority of Scots have wanted devolution. More than that, they want jobs, less crime, better health, quality education and transport services that work. It is time to deliver all those.

Creating this Parliament was an act of confidence in our ability as a nation. Thirty months on, there is much that we can be proud of: quality legislation, focused on the people in our society who need us most, and a new scrutiny of government in Scotland that was long overdue. In 1999, the people of Scotland gave us their trust to make devolution a success, in partnership with our communities, with the UK Government and with Scotland's local authorities. We must strive at all

times to improve the credibility of politics and the confidence of our voters in the judgments that we make. Their interests, their worries and concerns, and their hopes and dreams must drive all that we do here and we must treat their trust with respect.

If I become First Minister, fundamental principles that honour the democratic traditions of Scotland will underpin our decisions and actions. Those principles are: to be open and transparent in all that we do; to enhance, rather than to avoid, parliamentary scrutiny; to stand for and speak for all the people of Scotland; to take decisions, but also to listen, to learn and to change when it is right to do so; to have the good sense to say no when the time is not right or the money is not there; and, most important, to use all the talents that are available and to cross party boundaries when we can work together for Scotland.

People want action on the priorities that matter most to them. They like to see individuals and parties working together to make a difference. They want to see action that shows that they have been heard, because as a Government we have been listening. They want action to speed up important operations and to prevent poor health. They want action to improve our schools and to motivate our young people. They want action to lock up dealers and thugs, but also to keep young people from a life in and out of prison. They want action on transport, with railways and roads that serve their purpose. They want action to promote Scottish business and to develop skills for the modern competitive world economy. They want us to remember the environment when we make our decisions on the use of land and other resources. In all of that, they want equality of opportunity.

We will build a better Scotland when we build the best services that we can—public services that attract the efforts and work of the most talented, and that are freed up to respond directly to the public whom they serve and to deliver quality day in, day out. We want public services that get it right first time, every time, and that put people's needs first.

The leaders of Scotland are not to be found only here. There are 129 members of this Parliament. However talented and hard working those members may be, we cannot deliver on our own. Scotland's real leaders are to be found in our industries, our public services and our communities, rural and urban, old and new. If we are serious about creating a modern, confident Scotland, we need to get serious about unleashing all of the talent that we have. We must allow leaders to lead, recognise their success and support them when times are difficult or when they get things wrong.

Of course there will be limits on time and resources, but there must be no limits to the

ambitions that we have for Scotland, no barrier to those who work to realise those ambitions and no obstruction in the way of reaching them. I want to harness the talent of this country, to unlock the potential that exists in every street, every home and every workplace, to find solutions to the problems that we face and to build the future that our people deserve. Our job is to realise ambitions, to open the doors of opportunity and to renew confidence in politics as a force for good.

I am here today because I want to give children in Scotland the best possible start in life. As First Minister, I will ensure that everything that we do, every policy that we initiate and every spending decision that we make is measured against the standard of social justice. As a Labour First Minister, I will lead ministers in action to do that job, to speak for the many, not the few, and to deliver on the promise and the hope that the Parliament gives to our people.

Too many young people leave school without the confidence, knowledge, skills or ambition to build and be happy in their adult lives. That makes me angry and it must change. Lewis Grassie Gibbon said that anger is at the root of all change, but anger must be balanced. Too much anger makes one incapable of change; not enough, and one does not really want change. Our anger must be focused, because Scotland must be better than that. A better Scotland can make sure that our children do not suffer violence, neglect or failure because we fail them.

I want to live in a Scotland where every child has the security of a loving family, or the support of others when things go wrong, where every child has a top-quality education, regardless of special needs or background, where every child develops their creative talents and a healthy lifestyle and where every child approaches adulthood with confidence and hope.

It is now time for us to govern and to put people first, to harness our energies and all our talents, to open the doors of decision making and to deliver the opportunities that this country can give everyone. I ask members for their vote this afternoon, so that, together and working with the people whom we serve, we can make Scotland tomorrow better than it is today.

14:47

David McLetchie (Lothians) (Con): On the previous occasion when the chamber elected a First Minister, I thought long and hard before putting myself forward as a candidate because of the tragic circumstances in which that vacancy arose. I had no such problem coming to a decision this time. The events that led up to the resignation of Mr McLeish and the manner in which his

successor has emerged have raised many questions about the nature of the Labour party in Scotland and whether it is fit to govern. The purpose of my candidacy is to highlight that and to outline an alternative, Conservative, way forward.

Instead of holding an open contest and debate about the future direction of the Scottish Executive, Labour has treated us to the sorry sight of a succession of candidates being touted, only for those men and women of straw to fall by the wayside, one by one, so that we are left with only Mr McConnell. I am told that Mr Roy was particularly disappointed, because he could not place a bet on the outcome. It is absurdly easy to become First Minister: a couple of telephone calls from Andy Kerr, 386 from Cathie Craigie, and Jack's your uncle.

This unedifying spectacle has done nothing for Scotland's standing. The process has looked more like a tawdry coronation than a democratic election. Although this has been only a Labour farce so far, I have no doubt that, when it comes to the vote this afternoon, the Liberal Democrats will meekly fall into line behind Mr McConnell, who is the choice of their Labour masters. That is yet another piece of breathtaking Liberal Democrat hypocrisy from the party that likes to lecture us about democracy and standards in politics, but that refused to utter a word of condemnation or criticism during the whole officegate affair.

This cosy election is symptomatic of the culture of cronyism that exists in Scotland and that needs to be exposed and eradicated. From sweetheart deals and planning permissions to jumping the queue for a council house, an insidious network of favour trading exists in Scotland. [*Interruption.*]

The Presiding Officer: Order.

David McLetchie: The written answer that I received earlier this week confirmed that, since Labour came to power, more than 60 per cent of those who have been appointed to public bodies and have declared a political affiliation are Labour supporters. Things are getting worse, not better. Since January 2000, three quarters of such appointees were Labour supporters.

Mr McConnell has said that, as First Minister, he will dismantle the whole culture of cronyism. He claims that he is committed to open and accountable government. How will he achieve that? The simplistic answer, which we will no doubt hear from the SNP and the Liberal Democrats many times in the coming weeks, is that we should introduce proportional representation for councils, but that would be to make the mistake of attacking the symptoms of the problem rather than the underlying problem itself.

The Labour party certainly wields a considerable

amount of political power in Scotland, but what needs to be tackled is the concentration of power in the hands of politicians, not merely who controls it. PR might change the political balance on our councils, but it would simply introduce a system of proportional cronyism in which other parties would get a chance to share political patronage. Proportional cronyism is exactly what has happened since PR gave the Liberal Democrats a share of power in the Scottish Executive: all of a sudden, their supporters have started to be appointed to public bodies. What a surprise. *[Interruption.]*

Apart from a measure of quiet in the chamber, we need politicians who will initiate a fundamental shift in power. Power needs to shift from politicians and the institutions of the state back to the independent and autonomous institutions of civil society: to individuals, families, local communities, co-operatives and voluntary organisations. Proportional representation will not bring that about; it will simply entrench the power of the state by giving more political parties a vested interest in maintaining that power. *[Interruption.]* If we do not have politicians at national and local level who are committed to that real devolution of power and who are willing to put it into practice, the potential for the abuse of power will continue. *[Interruption.]*

The Presiding Officer: Order. We heard the other candidates without interruption; the same should be true for Mr McLetchie.

David McLetchie: Some people do not like home truths being told.

The big question is whether Mr McConnell is capable of delivering the reform that is necessary to win back respect for the Parliament. So far, the signals are rather confused. As the Minister for Education, Europe and External Affairs, he has shown himself to be admirably pragmatic in his attitude towards testing and discipline in our schools: he has taken on board sensible Conservative policies. But when he was confronted with the decision on whether to bring St Mary's Episcopal Primary School in Dunblane back under local authority control, he reverted to Labour dogma and his roots in municipal socialism. Despite overwhelming evidence that the school is a success and the parents support its present status, he signed the order.

The Scottish Conservatives want to see that kind of real devolution, which will lead to a genuine partnership between parents and teachers and drive up standards in our schools. We also want to see a genuine partnership with the independent sector in our health service. A concordat with that sector should be signed so that, as a matter of urgency, the relationship can be developed and fostered in the interests of patients and staff. We want a triumph of substance over style in Scottish

politics. We want the Parliament to focus on the issues that are of everyday concern to people, rather than the politically correct agenda with which other parties are obsessed.

Today is the third time that I have stood for the office of First Minister. It will not be third time lucky for me, nor will it be third time lucky for Scotland, because Mr McConnell cannot and will not deliver on those issues. He will not dare to do anything that undermines Labour's power base in Scotland. In the run-up to an election, he will not antagonise the trade unions, who are his paymasters, by introducing the necessary reforms in our public services. Although he may talk about ditching spin, he will carry on much as before, because such an approach permeates every fibre of his being.

The SNP is not capable of delivering in those areas either. Although it may want to change our citizenship, it does not want to change Labour's policies in essence, because both parties are cut from the same left-of-centre political cloth.

The Scottish Conservatives are the only party putting forward a genuine alternative to the approach of the Executive. That is why we will continue to be the only real and effective Opposition in this Parliament for the overwhelming majority of Scots who want Scotland to remain within the union.

We intend to be a party of government in Scotland again. It is as a symbol of that intent that it gives me great pride to submit my candidacy for this office today.

14:56

Mr John Swinney (North Tayside) (SNP): The only way seems to be up.

We meet this afternoon to elect a new First Minister—for the third time in the short life of this Parliament. The first occasion was a credit to Scotland: it was an exchange of ideas that resulted in what was perhaps a predictable outcome, but it enhanced our fledgling democracy. The second occasion was the result of a tragedy: the untimely death of Donald Dewar who, with others from his party, from the Liberal Democrats, from my party and from wider Scottish life, worked to establish this Parliament and to give our nation a fresh start.

The third occasion is the result of a farce: a farce inflicted on Scotland and its Parliament by the Labour party and by absolutely nobody else. The Labour party—the party that now, without any democratic process, seeks to foist its unelected leader upon our country; the party that promotes its own by making cronyism a way of life—always lets Scotland down.

This afternoon, the farce may be carried to its

illogical conclusion. The Liberal Democrats, in their usual Pavlovian response to their Labour masters, dutifully intend to bring into office a Labour machine politician who represents everything that the Liberals claim not to represent.

Labour has failed the democratic test. The Scottish Parliament must now do what Labour has failed to do: the Scottish Parliament must exercise democratic scrutiny.

I am proud to set out my candidacy on behalf of a party that is committed to a democratic, fair and prosperous Scotland; a party that always puts the interests of the Scottish people first; a party that can comfortably shelter those who are disgusted by institutional cronyism in the Labour party and are ashamed of what that party has become. I am proud to represent a party that recognises that if we want to create the democratic, fair and prosperous Scotland of our dreams, we must have the normal powers of a normal independent Parliament.

This Parliament is a stepping stone to freedom. This party will help our nation to cross over the murky swamp of Labour's Scotland into the bright and clean air of an independent Scotland. There is a job of work to be done to start that process; let me tell the chamber how I will go about tackling it.

Scotland needs reform of its public services as well as reform of its public servants. The two reforms are clearly linked. We must reform the whole system of public appointments. The bill that Alex Neil is introducing is the key that will unlock the door to openness and accountability. I challenge each of the candidates for the post of First Minister to echo my support for that bill. Dennis Canavan made his support clear earlier today.

While reducing the power of Labour's quango state, we will also improve the calibre of those who serve the public. Appointments should be made on behalf of the public by a Scottish Government, and not on behalf of Labour by Labour.

I also challenge each candidate to echo my party's support for root-and-branch reform of local government. The present system of local government in Scotland is a monument to Labour's institutional cronyism. Any system that rewards a party with less than half the vote with 90 per cent of the seats and all the power is a system whose time has passed in this democratic age. To defend it is to defend the indefensible—but Labour members here and at Westminster are lining up to defend it. We could change that system today—

Tavish Scott (Shetland) (LD): Today? A bill today?

Mr Swinney: If Mr Scott would care to listen to the rest of the sentence, he will understand where

I am going. On my election as the First Minister we would usher in immediate legislation to ensure that the local elections in 2003 are held under a new system. If the Liberals had any backbone they would get behind us and support that process. The Liberal Democrats have signed up once again to talks about talks about talks—[*Interruption.*]

The Presiding Officer: Order. Let us have some quiet.

Mr Swinney: Those talks are going absolutely nowhere. How many times do the Liberals have to be taught that lesson?

I warn the Liberals that they need a long spoon to sup with the new Labour party. They are in for a disappointing journey to PR for local government—a long and tortuous journey on which meetings to arrange timetables to arrange meetings will be the order of the day.

We need reform of our public servants and with that we need reform of our public services. My priorities are delivering public services and building public trust. A society shorn of cronyism will be a society that can focus on the real needs of Scotland. It will be a society in which we can prioritise public investment in our health and education services. We shall do so by using not-for-profit trusts—we reject the discredited and expensive Tory-inspired private finance initiative, which puts money from our classrooms and hospitals into the pockets of private financiers. We shall do so by a radical reform programme in education, reducing class sizes and freeing up our teachers to allow them to teach. We shall do so by investing in health so that our cancer services are the best in the world, not the worst in Europe as they are today. We shall do so by protecting our environment and by never, ever allowing a London Government to foist power stations on Scotland. We shall do so by giving the Scottish Parliament the financial independence it needs to deliver the quality public services that the people have a right to expect.

We cannot allow free personal care for Scotland's elderly people to be held up because of a backroom rammy over cash between Labour ministers in London and Labour ministers in Edinburgh. If the chamber selects the Labour nominee for the post of First Minister, those who vote for him will be condoning a massive abuse of power for generations. They will be wiping from their memories the images of Monklands, Glasgow City Council, Govan, Paisley, Renfrew and scandal after scandal and deceit after deceit. They will be accepting that the leadership of our nation is something to be traded behind closed doors within a party, bloated with arrogance of power, that is forgetful of where it has come from.

It is time for the Parliament to assert itself. It is

time for Scotland to assert itself and to look to its future. That future demands a Government and a First Minister that stand up for Scotland, not fight for themselves. I ask members to support my nomination. More important, I ask Scotland to support a vision of bright dreams for the future, not the old nightmares of the past.

The Presiding Officer: We move to the voting process. [MEMBERS: "What about the Liberals?"] Order. I assume that Conservative members wish to vote.

I remind members that they should vote only once and use only the yes button. If a member casts more than one yes vote, their vote will be treated as spoiled and neither vote will be counted. Members who wish to record an abstention will have an opportunity to do so at the end of the voting for the candidates.

As usual, members will have 30 seconds to cast their votes. There will be a pause of around one minute between the votes to allow the voting records to be printed, so that the clerks can check them.

The first vote is for those who wish to support Dennis Canavan. Members who wish to cast their votes for Mr Canavan should vote yes now.

Members voted.

The Presiding Officer: The next vote is for Jack McConnell. Members who wish to cast their vote for Mr McConnell should vote yes now.

Members voted.

The Presiding Officer: The next vote is for David McLetchie. Members who wish to support Mr McLetchie should vote yes now.

Members voted.

The Presiding Officer: The next vote is for Mr John Swinney. Members who wish to vote for Mr Swinney should vote yes now.

Members voted.

The Presiding Officer: The next vote is for members who have not voted and who wish to record an abstention. Any members who wish to record an abstention should press their yes buttons now.

Members voted.

The Presiding Officer: There will now be a short pause while the votes are verified.

The votes were cast for the candidates as follows:

Dennis Canavan	3
Mr Jack McConnell	70
David McLetchie	19
Mr John Swinney	34

VOTES FOR DENNIS CANAVAN

Canavan, Dennis (Falkirk West)
Harper, Robin (Lothians) (Green)
Sheridan, Tommy (Glasgow) (SSP)

VOTES FOR MR JACK MCCONNELL

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)
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)
Godman, Trish (West Renfrewshire) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lyon, George (Argyll and Bute) (LD)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
MacKay, Angus (Edinburgh South) (Lab)
MacLean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
McAllion, Mr John (Dundee East) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Mr Tom (Hamilton South) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Morrison, Mr Alasdair (Western Isles) (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)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Scott, Tavish (Shetland) (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)

VOTES FOR DAVID McLETCHE

Aitken, Bill (Glasgow) (Con)
 Davidson, Mr David (North-East Scotland) (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)
 Harding, Mr Keith (Mid Scotland and Fife) (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)
 Young, John (West of Scotland) (Con)

VOTES FOR MR JOHN SWINNEY

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

The Presiding Officer: There were no abstentions or spoiled votes.

I declare that Jack McConnell is selected as the Parliament's nominee for appointment as First Minister. As required by section 46 of the Scotland

Act 1998, I shall recommend to Her Majesty that she appoint Jack McConnell as the First Minister of Scotland. [*Applause.*]

On behalf of the whole Parliament, I offer my warm congratulations to Jack McConnell and invite him to address us.

15:16

Mr McConnell: Thank you very much, Presiding Officer. I am deeply honoured to be elected Scotland's First Minister. I am proud of the party that I represent, and of this position and this Parliament. I am especially proud that many members of my family and Bridget's family are in the public gallery.

All members of the Parliament share the privilege of election—of being entrusted to represent the people of Scotland. I have been given a great privilege in leading this Government. It is time to listen to the people of Scotland and to do them justice by the quality of our debate, the clarity of our decision making and the integrity of our actions.

The responsibility of leadership is not one that I take lightly. Scotland's First Minister and this Scottish Parliament must earn the confidence of the people of Scotland, because Scotland is a wonderful country. We export more per head than some of the strongest economies in the world. We have a cultural and literary tradition that is envied throughout the world. We punch above our weight in sports and sciences and we live in some of the world's most beautiful surroundings. The resources of nature are our inheritance.

Politics and public service are about nothing if they are not based on principles, focused on improving lives and dedicated to a better world. Members serving in the Parliament come from different places and have all been in different circumstances, but the greatest challenge that we all face is to leave a better world to those who follow us. Sometimes in robust and honest debate and sometimes in unity, this Parliament is up to that challenge. I am ready to deliver and I will be proud to serve you as First Minister along the way. [*Applause.*]

15:18

Mr Swinney: I extend to Jack McConnell my personal congratulations and those of my party on his election and my good wishes to his family given the challenges that they have faced in the past couple of weeks and will face in the period ahead.

I do not know whether anyone noticed, but there was a beautiful moment during David McLetchie's speech—I know that that is hard to imagine—

when he referred to the Co-operative movement. That prompted among members a reawakening of a competition to see who could remember their mother's Co-operative number. I am pleased to say that Mr McCabe and I passed the test; I do not know whether David McLetchie would manage it.

David McLetchie: The number was 32659.

Mr Swinney: That is one test that he has passed. I do not intend to ask the First Minister about that next Thursday—but that is enough warning if I do.

Mr McConnell said that some important decisions could stretch across party boundaries. I welcome that. The SNP has good ideas—I know that that is sometimes hard to imagine, but it does—and it offers them in the genuine spirit of debate, although they are often rebuffed by the traditional party-political arguments of Westminster, which I thought that we came here not to repeat. [*Applause.*] I have attracted some applause from the Liberal Democrats, which I hope is a good sign.

If Mr McConnell is interested in a positive debate about the future of Scotland, one in which he genuinely listens to the views of the Opposition, we will take part willingly in that debate. When he says and does wise things, we will say so, but when he deserves a hard time, we will give him one.

15:20

David McLetchie: I was reflecting on the last occasion on which Jack McConnell became a leader—of Stirling District Council, back in 1990. Two years later, the Scottish Conservatives turned him out of office. The election today is perhaps a harbinger of great things to come.

Like John Swinney, I congratulate Jack McConnell on his election as our First Minister. If we were playing ice hockey, I would probably be credited with an assist, but that is all in the past.

As Jack McConnell said, this is a proud moment for him. It is a singular accomplishment on his part to become First Minister after such a short parliamentary career, which has been served exclusively in the Scottish Parliament. That is a break with the past and an encouraging development in the history of the Scottish Parliament. On a personal level, I wish him very well indeed.

15:21

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I will preface my remarks by saying that my mother's Co-op number was 1760, which is why I always knew how many

yards were in a mile.

On a personal basis, and on behalf of the Scottish Liberal Democrats, I warmly congratulate Jack McConnell on his election as Scotland's First Minister. It is a great honour for him and, along with John Swinney, I wish Jack and his family well with the burdens of office that he is about to shoulder.

We have achieved much in the relatively short time of the Parliament. Everyone in the chamber knows that there is still much to be done. Jack McConnell has shown, as a minister in the Parliament, that he has the energy, ability and determination to deliver. His commitment to the Parliament and to Scottish politics goes back much further than May 1999. Working together in partnership with ourselves, civic Scotland, business, the trade unions and the churches, Jack played his part, through the Scottish Constitutional Convention, in helping to shape the Scottish Parliament. Since that time, he has proved that the Parliament can tackle the big issues, resolve complex problems and achieve results.

In his new role as First Minister, Jack McConnell will have an opportunity to shape the nation's future. He is not First Minister of a party, a coalition or a Parliament—he is Scotland's First Minister. We always said that the Scottish Parliament was a Parliament for the whole nation. I believe that Jack McConnell, with his island background and his urban constituency, is well placed to remember that.

I look forward to working with Jack McConnell in partnership, as a colleague and a friend, supporting him in the challenges that lie ahead as we seek to unlock the potential of a great nation.

15:23

Dennis Canavan: It is gratifying to know that there are three wise men in the Scottish Parliament.

In congratulating Jack McConnell, I recall an event of more than 20 years ago when, as a young Labour member of Parliament, I addressed a student meeting at the University of Stirling. I recall being introduced to one student activist whom I encouraged to join the Labour party. I am not sure now that I did the right thing—his name was Jack McConnell.

Even at that time, some people saw the Labour party as a ladder of opportunity for political careerists. I say to Jack McConnell that he should use his power, as leader of the Scottish Labour party and as Scotland's First Minister, to create a ladder of opportunity for all the people of Scotland, especially the disadvantaged and dispossessed—the people whom the Labour party was born to

protect. In that spirit, I congratulate him and wish him all the best in working towards those objectives.

The Presiding Officer: With renewed congratulations, I close this meeting of the Parliament.

Meeting closed at 15:24.

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

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Thursday 29 November 2001

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at the Document Supply Centre.

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriol Bookshop,
18-19 High Street, Cardiff CF12BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers