

MEETING OF THE PARLIAMENT

Thursday 18 March 2004

Session 2

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Scottish Parliament

Thursday 18 March 2004

[THE DEPUTY PRESIDING OFFICER *opened the meeting at 09:31*]

Genetically Modified Crops

The Deputy Presiding Officer (Murray Tosh):

Good morning. The first item of business is a debate on motion S2M-1051, in the name of Roseanna Cunningham, on genetically modified crops, and one amendment to that motion.

09:31

Roseanna Cunningham (Perth) (SNP):

Whether it is due to concern about the science behind GM foods, the impact on the wider environment, the removal of consumer choice or the huge commercial interests behind GM foods, there is enormous public opposition to the growing of GM crops. One recent poll showed that 85 per cent of people believe that GM crops would have a negative impact on the environment, 86 per cent believe that the technology has been driven by profit rather than public interest and only 4 per cent strongly agree that they would eat GM food.

As politicians, we must respond to that overwhelming public concern by using all the powers that we have at our disposal to prevent the commercialisation of GM crops. At this moment, that means that we must say no to the Government's proposals regarding Chardon LL maize.

In Westminster and the National Assembly for Wales, the Liberal Democrats, in particular, have been firm in their opposition to GM, but in Scotland, where they have some loose grasp on the reins of power, their response has been to roll over and do what the Government, the Labour Party and the GM industry want them to do.

In their alternative Queen's speech last year, the Liberal Democrats in Westminster made a strong statement that no decision on the growing of GM crops in the United Kingdom should be taken until the public debate was re-run. In advance of Margaret Beckett's statement on GM, the Westminster Liberal Democrat spokesperson on food and rural affairs, Andrew George MP, said that giving the go ahead for GM maize would

"show a breathtaking disdain for both the public and MPs".

George Lyon (Argyll and Bute) (LD): It is interesting that the Scottish National Party suddenly thinks that Westminster is the important area to highlight in this debate. If Roseanna Cunningham had read our party's manifesto,

which was agreed at our party conference in spring, she would know that it sets out clearly our position on the growing of GM crops. The Executive's proposals are completely in line with the commitment in our manifesto. That is what we stood for election on, what we were elected on and what we are now delivering.

Roseanna Cunningham: It is interesting that George Lyon makes that point, because Mick Bates AM, the Welsh Liberal Democrat countryside spokesperson, accused the Welsh Executive of having

"caved in to pressure from Westminster"

over Chardon LL maize, which he described as

"a Trojan Horse crop"

that would

"mark the end of any dream for a GM-free area".

He also said that he was "ashamed" of the Welsh decision.

The position of the Liberal Democrats is hardly clear. How, then, to explain to voters their behaviour in Scotland? The existence of Lord Sainsbury might explain the Labour Party's position but it gives no comfort to the Liberal Democrats. The problem for the Liberal Democrats is that big questions remain about the suitability of Chardon LL maize for Scotland.

In his statement last week, the Deputy Minister for Environment and Rural Development made great play of his insistence that there are no reasons for principled opposition to Chardon LL maize. Among other things, he said:

"The safety of this GM maize was confirmed by its gaining part C consent in 1998."—[*Official Report*, 10 March 2004; c 6428.]

That is true, but he did not say that the consent was given under a European Union directive dating from 1990 that has been superseded by directive 2001/18/EC, which provides for a rather more rigorous process.

Indeed, it is that kind of rigorous process that the House of Commons Environmental Audit Committee was concerned about. It said that the advice from the Advisory Committee on Releases to the Environment was "clear but ... not decisive", that problems evident in North America had

"not been taken seriously enough",

that

"No decision to proceed with the commercial growing of GM crops should be made until thorough research into the experience with GM crops in north America has been completed and published"

and that farm trials

"should have lasted longer than three years".

Despite the Environmental Audit Committee's report, within days Margaret Beckett was making an announcement that responded to none of the concerns that were expressed therein.

George Lyon: It is interesting that Westminster sources are being quoted again. Does the SNP recognise the fact that, in the first session of the Parliament, the Transport and the Environment Committee, during its detailed consideration of the Friends of the Earth petition to ban GM crops, got advice from the Scottish Parliament's legal adviser, who confirmed that neither the Parliament nor Scottish ministers have the powers to impose a blanket ban on the release of GM crops? That is a source within the Scottish Parliament. Perhaps Roseanna Cunningham should deal with Scottish Parliament matters.

Roseanna Cunningham: If George Lyon will sit in his seat for two minutes, I will be able to deal with some of the issues surrounding the legal position.

The Environmental Audit Committee's report is important because it was published only on 5 March. There are huge concerns about the fact that atrazine, a herbicide that is being phased out, was used in the trials. However, while the committee called for Chardon LL to be "thoroughly re-trialled", Beckett's statement called for only "further scientific analysis". Arguably, if that is needed, the statement should not have been made at all, but well might she take the view that further analysis is required. Quite apart from concerns surrounding atrazine, there are other questions. For example, no feeding studies have been carried out on cattle, although that is what Chardon LL would be used for. Further, although the committee called on the Government to ensure that, before any GM crops are grown commercially in this country, a clear and comprehensive liability should be put in place to underpin any future regulations to deal with co-existence issues, Margaret Beckett would say only that the Government "anticipate" that such measures would be in place. Allan Wilson's reference to that was wholly without timescale.

Legal opinion exists that suggests that a rather different position from the Executive's current position could be taken and which expresses the view that seed matters generally are devolved. It states:

"under the 2001 Regulations the functions of the National Authorities are stated to be exercisable by the devolved authorities in relation to each of the devolved regions. However, there remains only one National Seed List for the whole of the UK and the term National Authorities is specifically defined to mean each of the relevant devolved authorities 'acting jointly' ... As a result, no decision to add Chardon LL to the National List ... may be made without the agreement of all the relevant authorities."

Therefore, it is legally arguable that the Scottish Executive could have taken a different position. That legal advice suggests that we have some clout. What evidence do we have that that clout was used?

The same opinion also suggests that, although there are a couple of prescriptive reasons for refusal, there are also discretionary powers under regulation 5(4)(b) of the Seeds (National List of Varieties) Regulations 2001, which is where some of the flexibility exists. Has the Executive explored that? Indeed, has the minister explored any of the means by which he can stop what he and the First Minister profess to be so uneasy about?

If the Scottish Parliament is "sceptical"—to use the First Minister's phrase—about GM crops and shares the concerns of the public, our Health Committee and the Westminster Environmental Audit Committee, for heaven's sake, let us make sure that we have done everything in our power within the powers that we have available to us to have the decision on Chardon LL blocked.

I move,

That the Parliament notes the recommendations of the House of Commons Environmental Audit Committee's report *GM Foods – Evaluating the Farm Scale Trials*; believes that the cultivation of Chardon LL maize should not be considered in Scotland until a full inquiry has been undertaken into the potential commercial, environmental and health impact of such an introduction, and believes that, pending the outcome of such an inquiry, all existing legal powers should be used to block the approval of Chardon LL maize in keeping with the precautionary principle.

09:39

The Deputy Minister for Environment and Rural Development (Allan Wilson): I hope that, in my speech, I will be able to bring a little more light to the debate and a little less heat than we have just seen demonstrated.

Now we know what we always suspected: SNP policy is dictated by public opinion polls rather than by any reference to the facts. Not for the first time, the SNP has spotted a passing bandwagon—this time in the shape of a House of Commons committee's report—and has decided to jump on. I suppose that George Lyon is right; we should take comfort from the fact that the SNP still sees some point to Westminster. I am reassured by that.

The SNP is calling for a full inquiry, despite the fact that we have just had what is widely acknowledged to have been the most thorough examination of the science, the costs and benefits and the public's views, which I take on board. It wants the Parliament to instruct the Executive to use all legal powers

"to block the approval of Chardon LL maize"

for commercial planting in Scotland, even though there is no legal as well as no scientific basis for a ban.

Bruce Crawford (Mid Scotland and Fife) (SNP): Will the minister give way?

Allan Wilson: If Bruce Crawford will let me develop my point, he is welcome to come back in later.

As usual, the SNP has not taken the trouble to consider the facts behind the issue or, for that matter, the legal defensibility of the course of action that it proposes. I noted that, in her conclusion, Miss Cunningham said that the point is “arguable”—no more, no less.

Roseanna Cunningham: It is arguable.

Allan Wilson: Of course it is arguable. Anything is arguable in legal terms.

Roseanna Cunningham: Why did the minister not argue it then?

Richard Lochhead (North East Scotland) (SNP): On Scotland applying to become a GM-free zone, has the minister had a chance to consider the note issued by the parliamentary office of science and technology, which states:

“Although the first application by an EU region, Upper Austria, to set up such a zone was not allowed, future attempts may have more success if they apply under a different part of EU law.”

Has the minister gone to the trouble of investigating what that EU law might be?

Allan Wilson: We have gone to great trouble and to every conceivable length to investigate precisely that point and other related points. That is the fundamental difference between us: I believe in upholding the law but I know that the SNP takes a less defensible position, led by its leader. Not only do we have the prospect of illegal fishing, we now have the prospect of Roseanna and John treading the crops together. It is some vision.

Let me be clear: in the absence of credible scientific evidence of potential harm, a ban would be illegal. We do not have the scientific evidence that would allow us to ban GM maize. Indeed, the farm-scale trials that the Green party opposed—*[Interruption.]*

The Deputy Presiding Officer: I think we need a bit of order.

Mr Mark Ruskell (Mid Scotland and Fife) (Green): The minister says that he is adopting the precautionary principle, which means that he has to consider all the risks. Has he considered the risks of feeding Chardon LL maize to cattle, which is what we are debating today, not blanket bans? Has he had those studies peer reviewed?

Allan Wilson: Yes.

Mr Ruskell: Yes? *[Interruption.]*

The Deputy Presiding Officer: Order. Let the debate proceed.

Rob Gibson (Highlands and Islands) (SNP): Will the minister take an intervention?

Allan Wilson: With respect, Presiding Officer, I am trying to answer a question.

The Deputy Presiding Officer: Indeed.

Allan Wilson: As we speak, the outcome of the University of Reading trials is being investigated by our scientific advisers. Every decision that we take on the evidence about the prospective threat from GM crops to health or the environment is made on the basis of the best available scientific advice. Any research from any source that comes to light that casts any doubt on either environmental safety or human or animal health is taken on board by this Administration. If that evidence was sufficient to warrant any action to ban temporarily the cultivation of GM crops, we would take that action, as I said in my statement only last week.

Roseanna Cunningham rose—

Bruce Crawford rose—

Allan Wilson: I see that the Presiding Officer wants me to press on.

The Deputy Presiding Officer: Indeed. You are over time, minister, but I will allow you another half-minute to wind up.

Roseanna Cunningham: Perhaps he could wind up by telling us about the tests.

Allan Wilson: Perhaps the members opposite could restrain themselves.

Ministers must act responsibly, unlike the Opposition. We must act within the law, unlike the nationalists. The legal framework permits GM developments when they do not represent a threat to human health, animal health or the environment. The partnership agreement and our commitment to the precautionary principle enable us to proceed with care on the basis of scientific fact rather than fail to proceed because of prejudice and misinformation. That is a fundamental difference between the partnership parties, the Executive and the Opposition. I stand by our position.

I move amendment S2M-1051.1, to leave out from “notes” to end and insert:

“acknowledges that at present there is little support for commercialisation of GM crops; acknowledges the European and UK legislative framework for GM; recognises that the Scottish Executive is not permitted by EU law to impose a blanket ban or blanket approval for GM crops;

understands that decisions are required on a case by case basis; welcomes the Executive's decision to reject the commercial growing of spring GM oil seed rape and beet; notes that the Executive does not have scientific evidence nor the powers to ban the cultivation of GM maize; supports the Executive's decision to seek amendment to the EU approval for Chardon LL maize to restrict its cultivation; supports the Executive's decision not to agree seed listing for Chardon LL unless and until such EU changes are made; welcomes the Executive's commitment to consult on co-existence measures that will protect farmers who wish to grow conventional or organic crops, give consumers the choice not to consume GM foods and introduce compensation and liability measures; supports the Executive's initiative with the farming industry to ensure consumer confidence and consumer choice in Scottish produce, and welcomes the continuing commitment in the Partnership Agreement to apply the precautionary principle."

09:45

Alex Johnstone (North East Scotland) (Con): Politics is a fascinating thing, and sometimes it makes for very strange bedfellows. As I have said before, I am one of the members who is probably more convinced of the beneficial nature of the technology that we now describe as GM. However, sadly, I find myself speaking in support of Roseanna Cunningham's motion. That is because there has been a failure to address adequately the process that we are going through and to justify to the Scottish public the decision that has been taken. It is the process that I am concerned about above all else.

There are several issues that we have completely failed to address. The first is liability. A private member's bill is available to Westminster, but the issue of liability has not been addressed. The Executive in Scotland proposed the idea of voluntary GM-free zones, which I am interested in, but there is no system in place to establish how such zones might be run. Consequently, there would be no way for us to know that a particular area was free of GM contamination and there would be no test to guarantee it. Therefore, there is no way that we could guarantee the public's confidence in any such process. Surely it is only reasonable to suggest that such things should be discussed before a decision is taken to introduce a genetically modified crop to the Scottish environment. That is one of the reasons why I believe that the decision that has been made is premature and should be delayed until we have a proper discussion on that subject.

Another area that fascinates me about the process is the inconsistency of the Liberal Democrats' position. They seem to be prepared to argue that one policy for Scotland is completely justifiable while their party argues for completely different policies in Wales and in the House of Commons.

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

Alex Johnstone: I am tempted to say no, but I am interested to hear what Mr Rumbles has to say.

Mike Rumbles: Alex Johnstone is talking about inconsistency in arrangements. The Scottish Liberal Democrats have been consistently consistent on the issue. What about the member's position on GM crops? Is he not in favour of them?

Alex Johnstone: I made it quite clear that I am aware of the science and understand it. However, we require to take the public with us and, for five years, I have argued that the Executive has failed to do that. The decision delivers that—

George Lyon: Will the member give way?

Alex Johnstone: I am sorry; I have to continue.

The Liberal Democrats and the Labour members in the Executive are being held to ransom for no apparent reason or gain. Chardon LL is a crop that no one in their right mind would choose to grow in Scotland, even if it were not genetically modified. Chardon LL is a late-maturing maize variety that, at best, should be grown in the middle of France. If it could be grown in Britain at all, it would be a crop for the south of Wales and the extreme south-west of England.

The introduction of Chardon LL as an approved crop in Scotland is a political Trojan horse, as the member who moved the motion stated. It has no value to Scottish agriculture and it jumps the gun as far as the many decisions that have to be made in Scotland are concerned. If the power exists for the Executive to prevent the growing of Chardon LL maize given the decision south of the border, it is essential that the Executive makes that decision now. We should get on with the business of discussing the future of Scotland's agriculture, genetically modified or otherwise, before we make irreversible decisions.

09:50

Nora Radcliffe (Gordon) (LD): Today's debate, to which the SNP has allocated half a morning, has nothing to do with the law, the truth or concerns about human health and the environment, and everything to do with SNP political point scoring. Although I do not welcome the SNP's motives for initiating the debate, I welcome the opportunity to dispel some of the myths that have been peddled by the SNP and the Greens.

Richard Lochhead: Will the member give way?

Nora Radcliffe: I have only four minutes and I have a lot to say.

The Liberal Democrat position on GM crops is clear. We acknowledge that there is currently little support for the commercialisation of GM crops. Our manifesto committed us to act in accordance with EU rules.

Alex Fergusson (Galloway and Upper Nithsdale) (Con): The Scottish Liberal Democrat election manifesto for 2003 stated:

“Until this process is completed and the public debate concluded we will not permit any further GM field trials or commercial growing of GM crops.”

Does Nora Radcliffe consider that the public debate has been completed?

Nora Radcliffe: We have completed the process, but the public debate will never be complete absolutely. I consider that we have fulfilled the terms of our manifesto commitment.

Having already called for fishermen to break the law, the SNP now seems to think that the Scottish Executive should disregard the law that applies to GM crops. As a responsible party of government, the Liberal Democrats will keep to our manifesto pledge and continue to work within the law.

Let us be in no doubt about what the law allows. Neither the Parliament nor Scottish ministers have the legal power to impose a blanket ban on the release of GM crops. If members do not believe me, they should ask Carwyn Jones, who is the Welsh Minister for Environment, Planning and Countryside. Carwyn Jones told the National Assembly for Wales:

“We have consistently endorsed taking the most restrictive approach possible to the commercialisation and growing of GM crops in Wales within current UK and EU legislation. However, this does not mean that we can declare Wales GM free as many would like. To do so would be illegal and it would be irresponsible for any Government to work outside the legislative framework.”—[*Official Record, National Assembly for Wales*, 9 March 2004; p 61-2.]

That hardly fits with Roseanna Cunningham's comments in Monday's edition of *The Scotsman*, in which she claimed:

“Last week's GM announcement was met with outright opposition from Welsh ministers but here in Scotland the response was feeble.”

The only feeble thing in Scotland is the SNP's grasp of the true position of the National Assembly for Wales and of what EU law says. Alternatively, perhaps the SNP knowingly and deliberately wants to misrepresent both those things.

Shona Robison (Dundee East) (SNP): Will Nora Radcliffe clarify what her personal view of GM crops is? Is she for or against the growing of GM crops?

Nora Radcliffe: Personally, I am in favour of the precautionary principle and of considering the

science. If it is safe and sensible to proceed, that is fine. If it is not, we should not do so.

Let me reiterate that the legal opinion on the Parliament's powers to resist GM crops—which is the same as when it was first given by the Scottish Parliament's legal adviser in 2001—is that neither the Parliament nor Scottish ministers have the power to impose a blanket ban on the release of GM crops.

If we had scrapped the crop trials, as both the SNP and the Greens repeatedly demanded, it would not have been possible to resist the commercial growth of GM oil-seed rape and beet.

We totally support the Scottish Executive's decision to seek an amendment to the EU approval for Chardon LL maize to restrict its cultivation so that it could be cultivated only under the regime that was tested in the farm-scale trials. Until that amendment is made, the Executive should not agree to the seed listing of Chardon LL. However, we must remember that, as Chardon LL is listed on the Dutch national seed list, the crop could be listed on the EU list, so it could be grown in Scotland.

The Deputy Presiding Officer: You must wind up.

Nora Radcliffe: I am just finishing my final point.

It is time for the Opposition parties to realise that it is not sensible to focus on the issue of seed listing. The best way forward would be for everyone to unite behind the Executive in promoting voluntary GM-free zones and in undertaking the necessary work to underpin those and make them achievable.

09:54

Mr Mark Ruskell (Mid Scotland and Fife) (Green): I thank the SNP for using its debating time to discuss such an important issue. I am pleased that the call for consensus that we made last week was heard and that we were able to discuss the text of the motion with colleagues from the SNP, the Conservative party and the SSP.

Three questions need to be answered today. First, has the Executive properly applied the precautionary principle to GM maize? I can tell Nora Radcliffe that, no, it has not been properly applied. The precautionary principle means that we must look before we leap rather than leap into the dark. The Executive's definition of the principle appears to be upside-down.

George Lyon: Mark Ruskell argues that we should be able to prove a negative. On that principle, nothing could ever be permitted, including crossing the road.

Mr Ruskell: That is not true. In this case, the precautionary principle means that all the environmental risks must first be taken into account. That has not happened. Can George Lyon name any feeding studies that have been conducted? We know that the field-scale evaluations were extremely narrow and that they did not even consider the issue of contamination.

Until we see the Executive's legal advice, we will treat its reassurances on the precautionary principle as a waffle-a-lot-and-hope-for-the-best principle. The attitude that we have not yet come across any harm is not the precautionary principle. The EU directive requires member states to demonstrate that risks are being avoided. The problem is that the studies have not been done, so we cannot know what all the risks are.

Secondly, does the Executive have the powers to block GM maize getting on to the UK seed list? Yes, it has. Before a crop can be added to the UK national seed list, it must demonstrate an advantage over existing crops on the list. However, we know that the yields that Chardon LL achieved during the field-scale trials were inferior compared with conventional maize varieties. The lack of improved performance would have been a valid reason to reject the listing.

The Executive claims that Chardon LL could be added to the European catalogue because it is already on the national seed list of another member state. However, the crop is not grown in the Netherlands or anywhere else in the EU and the Dutch are unlikely to apply to have it added to the common list. Even if such an application was made, the application would require the consent of the UK state.

The UK state, with the agreement of the Scottish Executive, is pushing the process that will result in GM maize being grown in the UK in the next year. No other EU state is facing legal sanctions for not growing Chardon LL maize, but Scotland and the UK are blazing a GM trail for the crop.

For those reasons, we need an inquiry into the decision to pursue the commercialisation of GM maize so that we can review the impact of that decision on the environment, the economy and human health. I strongly suspect that alternative courses of action are open to the Executive. As has been outlined, a legal opinion on the powers of the National Assembly for Wales has already cast doubt on the Executive's room for manoeuvre.

Thirdly, there is a fundamental question of principle. I am sure that a majority of MSPs support the motion.

George Lyon: Will the member give way?

Mr Ruskell: No, I am in my final minute.

In the past, a majority of members would have voted openly for the motion. The MSPs who participated in the two committee inquiries into GM would previously have voted for the motion and they probably want to do so today. The question is whether members will vote at 5 o'clock on the basis of what the SNP motion says rather than who lodged it. We will join the Tories and the SSP in voting for the motion. Most of the independents that I have spoken to have said that they will support the motion. Will other supportive MSPs—such as John Munro—put their principles first and vote for the motion?

09:59

Richard Lochhead (North East Scotland) (SNP): I am astonished at how vocal the Lib Dems have been in supporting ministerial decisions, given that their counterparts elsewhere in the UK have been equally vocal in opposing them. The only thing that is consistent about the Lib Dems in the UK is their inconsistency.

George Lyon: The member accuses us of inconsistency, yet week after week we hear the SNP's front-bench spokesperson Kenny MacAskill demand that spending levels should be equivalent to those under the Swedish model, while the party's other front-bench spokespersons demand that our tax levels should be based on the Irish model. Let us see some consistency from the SNP.

Richard Lochhead: Presiding Officer, I shall continue on the issue of GM crops being introduced into Scotland. This is not just a debate about the economy and the environment; it is a debate about democratic deficit in Scotland. People voted for this Parliament because they felt that decisions were taken outwith Scotland over which they had no control and which they did not want to be taken. We now have a Parliament and we put authority in ministers to go and negotiate on behalf of Scotland, but they are not doing that.

When those ministers go south of Gretna, they seem to have difficulty in speaking to their counterparts in London. They forget their responsibilities. I do not know whether they are overawed by the seniority that they seem to think their counterparts in London have, or whether they want to avoid falling out with their bosom buddies in case they do not buy them a pint at the next Labour conference in Brighton or Blackpool, but they are not negotiating on behalf of Scotland. They should be fighting tooth and nail to protect our interests on the issue, but the fact is that there is not enough information to allow this GM crop to be introduced to Scotland.

As Roseanna Cunningham and other members have pointed out, there have been no tests on

feeding this crop to cattle. There have been no tests, and the minister must accept that. When he made his ministerial statement to the chamber a few days ago, he said that there was no problem, that it was just about fodder and that only a few farmers would grow the crop in Scotland. There have been no tests on that.

Allan Wilson: Richard Lochhead says that there have been no tests, but what is the University of Reading ruminant study about?

Richard Lochhead: There was no reference to that in the minister's statement. The view of the other authorities that I am just about to quote, and which have been quoted elsewhere in the debate, is similar to the view of the SNP and the other parties that are opposed to the proposal—that there have been no such tests. The House of Commons Environmental Audit Committee's report states:

"Pollen spread and the calculation of separation distances so as to prevent contamination is a subject still heavily debated by scientific experts."

The other gaps in knowledge are referred to in the Agriculture and Environment Biotechnology Commission's report of October 2003, which cites

"other instances of organic and non-GM farmers facing significant problems and economic loss from adventitious presence in Canada and the US from the growing of GM oilseed rape and maize."

The report goes on to say:

"The Spanish Association of Corn Growers reports that some 5% of batches of maize destined for one of Spain's largest food processors were rejected due to adventitious presence of GM."

There is a lot of uncertainty, not just in this country but around the world. The voluntary zones are a sop. There will be a whole lot of disputes over the boundaries, contamination issues and so forth. The only people who will make a profit out of the issue are the lawyers in Scotland. The organic sector will have the rug pulled from beneath its feet as well. The Soil Association will have to withdraw organic status from many farms in Scotland if the 0.1 per cent threshold that it has set is broken, which is likely if the proposal goes ahead.

If the minister is sceptical, as he said he was in his statement, and the First Minister is also sceptical, have they requested that the UK Government change EU law so that we have more powers here in Scotland to do something about such issues? Or will they just shrug their shoulders and allow another decision that we do not want to be foisted on Scotland? It is not the World Trade Organisation, the US, the EU or the UK that should take decisions on growing GM crops in Scotland. It is this Parliament, representing the people of Scotland, that should take those

decisions. As I have said, there are authorities elsewhere in the UK that think that there are powers in Europe that would allow Scotland to be declared GM free. The case for not allowing the specific crop that we are discussing today to come to Scotland is overwhelming.

10:03

Mr John Home Robertson (East Lothian)

(Lab): My constituency of East Lothian has a long history of high-quality arable farming, starting way back in the 18th century with the agricultural improvers who embraced scientific ideas to improve the fertility of the land, to apply new techniques to control weeds and diseases and, yes, to breed better crop varieties. It is worth mentioning that conventional plant breeding takes full advantage of natural mutations, which are themselves forms of genetic modification, but I shall not dwell too long on that point. Those smart, successful agriculturalists applied scientific knowledge over many years for the benefit of Scotland and the rest of the world. I submit that that culture has contributed to Scotland's leading role in the development of new ideas on land management and food production for the benefit of the entire planet.

Eleanor Scott (Highlands and Islands)

(Green): Does Mr Home Robertson accept that there is definite qualitative difference between conventional breeding—where crosses are made in a natural way between different varieties, including natural mutations—and taking genetic material, sometimes from a completely different species and using a virus carrier to inject it into a plant or other organism in the hope that it will produce the desired effect? Does he accept that that is potentially unstable and hazardous and that it could have unknown effects?

Mr Home Robertson: Can I have some injury time, Presiding Officer? That was a genetically modified intervention.

The Deputy Presiding Officer: You are still burning up time.

Mr Home Robertson: Conventional plant breeding and GM technology are obviously different, but there are genuine comparisons between the two.

My suspicion is that the motion is intended to curry favour with science saboteurs, but my big concern is that it could damage the prospects for a smart, successful Scotland for the future. I suggest that it would not be very smart for Scotland to opt out of a potentially valuable area of bioscience. Our Executive has quite rightly told the scientists to apply the precautionary principle, but today's motion is something completely different. It would override scientific precaution with political prejudice.

Leaving aside the sheer absurdity of politicians writing the list of approved varieties for planting on farms in Scotland, we need to understand that a political decision to ban Chardon LL maize would convey an alarming message to the Scottish scientific community. That message would be that the Scottish Parliament is prepared to overrule good science in favour of blind prejudice, and I submit that that would be a very serious mistake.

Bruce Crawford: Is Mr Home Robertson aware that the results of the University of Reading studies were never published, that the studies were carried out in secret and that it was Bayer itself that carried them out? Does that not say everything about those studies?

Mr Home Robertson: My fundamental point is that I want to trust scientists on this issue. I do not think that political prejudice is the right way to go about this. There is no question of running any risks. The Executive has already applied a rigorous precautionary principle. I do not need anyone to tell me about the risk posed by invasive plant species. Where there is any risk at all, such varieties should never be cleared for planting anywhere in Scotland. That is the precautionary policy that has been set by the Executive and applied by scientists.

The Cunningham doctrine is something completely different. It goes like this: never mind the science, ban it anyway. That is a tempting thought. I can think of many things that I might like to ban on the basis of my own excellent personal judgment—otherwise known as prejudice—but that approach would be the antithesis of a smart, successful Scotland. On the contrary, I submit that it would be an agenda for a silly, stone-age Scotland, and I do not want to go down that way.

I fully appreciate that there are legitimate concerns about new technologies and it is right to respond to those concerns by applying rigorous tests and precautions. Likewise, I agree that we need to be careful about cross-contamination and that we need effective buffer zones between different types of crops. The Executive is proposing that in the amendment that has been lodged. I urge Parliament to acknowledge the fact that GM science may have considerable potential for good—for example, by reducing dependence on pesticides. In my view, the motion is anti-science, cynical, opportunistic and irrational. On balance, I prefer to support the Executive amendment.

10:08

Ms Rosemary Byrne (South of Scotland) (SSP): I thank the SNP for giving us the opportunity to debate the subject of GM crops today. During his statement on GM crops in the

chamber only a week ago, the Deputy Minister for Environment and Rural Development stated that talk of a veto on the planting of Chardon LL maize was “wholly misplaced”. He went on to say that the Executive

“will rigorously apply the precautionary principle in our approach to the planting of GM crops.”—[*Official Report*, 10 March 2004; c 6434.]

We are left with two options: either the Executive does not understand the precautionary principle or, for some bizarre reason, it is unwilling to apply that principle to Chardon LL. So much for protecting the environment.

The SNP motion is clear. It states that cultivation “should not be considered ... until a full inquiry has been undertaken”.

The minister stated last week:

“I have the power ... to ban GM crop cultivation in Scotland if there is scientific evidence to underpin such a decision.”—[*Official Report*, 10 March 2004; c 6431.]

Why will he not undertake an inquiry to ascertain that scientific evidence? He talks about establishing a voluntary co-existence scheme to protect non-GM farmers, but that will not protect the environment, let alone non-GM farmers, once the GM genie is out of the bottle. All that is being asked for in the motion is an inquiry.

Last week, I asked the minister why, in light of the fact that the GM crop trials that were conducted did not test whether genes could flow from GM crops to other crops, GM crops would be planted. He replied:

“Gene flow was tested in some separate experiments. Gene flow is not a safety issue per se and does not, of itself, constitute harm to the environment. However, the gene flow research will inform all our deliberations on the development of a programme of statutory co-existence.”—[*Official Report*, 10 March 2004; c 6436]

Does he not see that such replies serve only to increase public concern? If gene flow research will inform decisions on the programme of statutory co-existence, why was that not part of the original field trials? For the minister to state that gene flow is “not a safety issue” and does not harm the environment is astounding. If genetic material can flow from GM crops to non-GM crops, how can that be classed as not damaging the environment? That is the crux of the argument about GM contamination.

John Swinburne (Central Scotland) (SSCUP): Does the member agree that variant CJD was the outcome of legislation and controls on cattle feeding that were backed by scientific evidence? We heard from Malcolm Chisholm yesterday about the continuing ramifications of flawed decisions in that area. Does it not follow that feeding

genetically modified maize to cattle could also result in the build-up of serious problems for the future?

Ms Byrne: The member makes an excellent point that should be taken on board.

Allan Wilson: Will the member give way?

Ms Byrne: Sorry. I have only a minute left.

The fact that the potential for gene flow exists makes a nonsense out of the Executive's proposed co-existence scheme and assurances of environmental protection.

The minister stated last week:

"The Executive believes in responsible science and responsible policy making."—[*Official Report*, 10 March 2004; c 6429.]

If that is so, I challenge the Executive to live up to those beliefs.

In his amendment, the minister states that he has neither the

"scientific evidence nor the powers to ban the cultivation of GM maize".

Had he supported the SNP motion, we would now have an Executive dealing with responsible policy and initiating an immediate inquiry. I urge him to think again.

10:12

John Scott (Ayr) (Con): For some time now, I have been sceptical about the planting of GM crops in Scotland. That scepticism derives not from a desire to hold back progress and the use of science but from the fact that scientists cannot agree on the science.

Let us consider the science. Here in Scotland, the field trials on oil-seed rape were botched. Contaminated seed was used when it should not have been and public confidence was damaged—not by Scottish ministers but by the Department for Environment, Food and Rural Affairs; nonetheless, confidence in GM was shaken.

Health issues about GM have been raised and not answered by either the Parliament's Health Committee or the British Medical Association and the effect has been, once again, to shake public confidence. Animal feeding trials on Chardon LL have been carried out, but the results have not been published.

Allan Wilson: The farm-scale evaluations were set up to examine the herbicide and pesticide regimes and their effect on biodiversity. Those evaluations, which were the biggest ecological study of their type undertaken anywhere in the world, showed that the impact on biodiversity of GM herbicide-tolerant maize was less than that of

the conventional variety. Does the member dispute that finding?

John Scott: My colleagues are pointing out that that relates to atrazine, so it is not relevant to the current debate. The trials discounted themselves by using that weedkiller.

In Westminster, the Environmental Audit Committee's report on farm trials noted:

"The problems evident in north America have not been taken seriously enough."

It also noted that the committee is

"very concerned about possible contamination ... of non-GM crops and insist that the issue of liability be settled before any GM crops are allowed to be commercially grown in the UK."

There is no sign of that happening.

Doubts about the future of GM are being expressed in every quarter by consumers and farmers. We in Scotland must take a similarly cautious approach and the minister recognised that when he called last week for voluntary GM-free zones in Scotland. I recognise and support the wisdom of that request from the minister, which is as close as he can come to banning GM crops without having the power to do so.

For purely marketing reasons, we should seek to make the whole of Scotland a GM-free zone—for the time being if not for ever. In the short term, I am certain that Scotland's farmers and food retailers would gain a commercial advantage if we produced food in a GM-free zone. We should grasp with both hands the niche-marketing opportunity that we have been offered and must not let the genetic genie—my phrase, not Rosemary Byrne's—out of the bottle in Scotland, either now or perhaps even ever.

The attraction of preserving our GM-free integrity is that in three, five or 10 years' time we can evaluate our position again. If, at that time, niche marketing of Scottish produce grown in a GM-free zone is successful, we can continue with it. If, in the meantime, all the scientific arguments have been resolved and the fears have been allayed, we can then decide whether to adopt GM. We will have lost nothing by being cautious for two, three or five years.

That is why the Conservatives' position is not "not ever" to GM; it is "not now". It is time to sit on the fence rather than rush into a decision in haste that we might repent at leisure.

10:16

Bruce Crawford (Mid Scotland and Fife) (SNP): I regard the debate today, initiated by a motion in the name of Roseanna Cunningham, as one of the most important that the Parliament has

undertaken. The outcome of the debate and the vote that will follow at decision time will be a litmus test of whether individuals and political groups in the Parliament are prepared to take their duty of care towards the Scottish people seriously or, conversely, whether they are—like the Liberal Democrats—prepared carelessly to cast aside those responsibilities and the principle of precaution for the sake of political expediency.

In effect, that would be to take a decision that is about getting through tomorrow and the next day—and to hell with the long-term potential consequences for Scottish agriculture, public health and the environment. The potential long-term consequences are there and they are real. For example—I ask the minister to listen rather than shake his head all the time—the only published study that is available on feeding animals T25 maize, of which Chardon LL is one variety, found that the number of chickens that died after eating that GM maize was twice the number that died after eating non-GM maize.

Given that evidence, members would have thought that the next logical step would have been to carry out feeding studies on cattle and release the results. However, the minister knows about the University of Reading study, which was carried out and paid for by Bayer. The results have never been published, nor have they been sent to any regulatory authority. Will the minister tell me whether he has seen the results of those studies?

Allan Wilson: As the member knows, the study has just been completed. The researchers intend to publish the study and have it peer reviewed. As with all new evidence, when it is published it will be referred to ACRE for its advice. Does the member agree that the researchers have stated that the study does not reveal any adverse effect on the health of ruminants that have been fed T25 maize?

Bruce Crawford: The minister has confirmed to the Parliament that he is prepared to give the go-ahead on this when he has not read or seen the study that was carried out by the University of Reading into the feeding of this sort of maize to animals.

There we have it. The minister has opened up the nightmare scenario.

Nora Radcliffe rose—

Bruce Crawford: I still have stuff to say. The Liberal Democrats are the guilty people—they should sit and listen for a change.

The suspect GM maize will now find its way into the feedstock of Scottish cattle. What on earth will that do to the reputation of a quality Scottish product, which we have tried so hard to build up after the BSE and foot-and-mouth catastrophes?

Will cattle be susceptible in the same way as chickens? Who knows? The truth is that it does not matter. GM maize will have entered the food chain, the consumer will rumble the truth and the good name of Scottish beef will be thrown down the stank.

Worse still, if GM maize has the potential to be more harmful to chickens than the non-GM varieties are, what impact will the meat and milk from cattle fed on GM maize have on human health?

Maureen Macmillan (Highlands and Islands) (Lab): I can add a bit to the discussion as I listened to “Farming Today” about a fortnight ago and heard the author of the report talk about it. The author said that nothing in the studies showed that there was any harm at all to cattle from this feed.

Bruce Crawford: Has Maureen Macmillan seen the chicken study? For her information, as I have said twice, the study on feeding cattle has never been published and it has not been released to the relevant authorities. No one in government here has seen it and Maureen Macmillan has certainly never seen it.

If this GM maize has the potential to be harmful to chickens, and it gets into meat, what will it do to human health? No one knows the answer to that question, so the only viable route must be the precautionary route.

I remind the Liberals of their commitment at their 2003 federal conference, which overrides their manifesto. [*Interruption.*]

The Deputy Presiding Officer (Trish Godman): Order.

Bruce Crawford: That conference called for

“The continuation of a UK moratorium on the commercial planting of all GM crops that have the potential to contaminate non-GM and organic crops.”

So much for the Liberals’ commitment.

Mike Rumbles: Will the member give way?

The Deputy Presiding Officer: The member is in his last minute.

Bruce Crawford: I am already in my last minute.

Yesterday, someone said to me—cruelly, but perhaps accurately—that the Liberals in Scotland are a bit like the Labour Party’s crash-test dummies. Perhaps they will want to prove me wrong by the time we finish today.

10:20

Sarah Boyack (Edinburgh Central) (Lab): I welcome the lengthy Executive amendment and

will speak in favour of it. What is the starting point for the debate? We had a lengthy consultation exercise, which demonstrated public scepticism about GM technology as people understand it. It also demonstrated people's strong demand to be able to choose the kind of food they eat and the kind of food they see on their supermarket shelves.

Mr Ruskell: Will the member give way?

Sarah Boyack: No, thanks. I want to get going.

Part of the reason for that scepticism is the over-inflated claims that were made by GM companies, and the sense that the big GM companies want to push us down the GM route regardless. The claim was made a couple of years ago that GM technology could at a stroke get rid of poverty and famine in developing countries. If it was that easy, it should have been done already, but it is not that easy and the issue is much more complex. There are a wide variety of concerns, particularly about the long-term effects of GM products, and there is unease about where the technology might lead and—crucially—about a lack of future choices for farming methods.

Mr Ruskell: Will the member give way?

Sarah Boyack: No, thank you. I want to get on.

For those reasons, it is absolutely right that we should have a robust testing framework, so that we can examine the issues and have technical debates in Parliament. We have to raise our game and think about these difficult scientific issues. That is why I welcome last week's decision to rule out the commercialisation of GM beet and rape on the basis of robust scientific testing, which discovered evidence of a potential negative impact on our environment. That is not mentioned in the SNP motion. I am not surprised by that, because the SNP wants only to score political points, not to protect consumers or our environment. As Allan Wilson and George Lyon made clear, the reality is that under EU rules, if we did not have a robust approach to testing, we would not have a leg to stand on if we wanted to ban such crops.

Alex Johnstone: I fully support Sarah Boyack's comments on the trials that took place with rape and beet, but how can she defend the decision that was made on Chardon LL maize, when the regime under which it was grown was compared with a regime under which a non-GM variety was grown with the chemical atrazine? In a paper that I read, that chemical was described as one that could turn the garden of Eden into a desert, and it has been banned. No constructive, positive comparison can be made to enable that trial to be considered effective or its results to be considered conclusive.

Sarah Boyack: We should be supporting the Executive's decision to seek to amend the EU approval for Chardon LL maize to restrict its cultivation, as laid out in the amendment. More tests need to be carried out, not just on that maize, but on a variety of different crops.

I return to my main point, which is that although choice is an issue for farmers in developing countries and in the UK, it is also an issue for consumers.

Mr Ruskell: Will the member give way?

Sarah Boyack: I have just taken an intervention.

I agree with what John Scott said about having high-quality niche marketing for Scotland's crops. We have to address particular issues if that is to be a reality. The first issue is crop distances. I would like the minister to outline the timescale for and the nature of the consultation that he is going to conduct, because we cannot have genetically modified crops without having effective distances, with scientific backing, between crops. The EU agreed that products must be labelled if the GM content of non-GM products is greater than the threshold of 0.9 per cent, but we need a lower limit, particularly for organic foods. According to the Soil Association, that is critical for consumer confidence.

We cannot have GM crops in Scotland until we have a proper liability regime. We also need to apply the precautionary principle. The polluter-pays principle means that biotechnology companies should be prepared to accept liability. We need to be sure that minds are concentrated in those companies. We have already had mistakes in the US, where mislabelled seed was provided to farmers, who unwittingly planted seed that had GM contamination. I would like the minister in summing up to address the need for an effective liability regime.

10:25

George Lyon (Argyll and Bute) (LD): A debate of one hour and 15 minutes does not provide anything like enough time to do justice to this complex and difficult issue. That is regrettable. If the SNP truly believed that GM crops are an important issue, it should at least have taken the whole morning to discuss it.

Richard Lochhead: Will the member give way?

George Lyon: I will give way to Richard Lochhead in a minute or two.

It was interesting that Roseanna Cunningham spent the majority of her speech quoting Westminster—an institution that is rubbished and disparaged by the SNP on a daily basis in this chamber. Clearly, the union is safe in Roseanna's hands.

As my colleague Nora Radcliffe stated, the Liberal Democrats have stuck to our manifesto, which stated that we would not permit the commercial growing of GM crops in Scotland until trials had been completed, a public debate had been concluded, and—most important of all—a proper assessment of the science had been carried out. That process has been completed, which is why we are now in a position to proceed with the commercial growing of maize.

Patrick Harvie (Glasgow) (Green): Will the member give way?

Richard Lochhead: Will the member give way?

George Lyon: I give way to Richard Lochhead.

Richard Lochhead: George Lyon mentioned the relationship of the public debate to his party's decision on whether to support GM crops in Scotland. What bearing does the public debate have on his support for GM crops in Scotland? Does he have any indication that the public support the commercial growing of GM crops in Scotland?

George Lyon: I will move on to public and consumer concerns later in my speech.

The principle behind the decision to allow the growing of this GM crop is that matters of human health and food safety must be based on the best scientific advice that is available. That is the only principle on which we can base a decision on the safety of food products. To do otherwise would be extremely foolish and ill thought out. It is because that principle was applied that we are legally able to reject the commercialisation of spring rape and sugar beet, as the trials demonstrated that there was a risk to the environment.

Decisions can be made only on the basis of scientific evidence. Once that evidence shows that a product is safe, the issue then arises of consumer choice, about which everyone in the chamber is rightly concerned. That is why a rigorous and robust labelling scheme must be introduced, to allow consumers to make a choice.

The minister's other point was that we will allow maize to be planted and grown in Scotland only once the EU has adjusted the current consent, to ensure that maize can be grown only under the same rules that were applied in the trials.

Mr Ruskell: George Lyon, like Sarah Boyack, talked about consumer choice. How will consumers in Scotland be able to choose to buy or not buy milk or meat that is derived from cattle that have been fed Chardon LL?

George Lyon: That is a matter for retailers and consumers, who must consider labelling and whether they wish to know from where products have come.

Co-existence rules are important to protect conventional and organic farmers who do not wish their crops to be contaminated by GM. We have already pledged to introduce compensation and liability measures to protect those who do not wish GM crops to be part of their crop growing schemes.

As I understand it, the Greens' position is that, in principle, one must prove a negative. In reality, that means that all progress and human advancement will come to an end now. The Tories appear to be unsure whether they are for or against GM, given that they licensed three GM products when they were in government before 1997. Of course, the SNP has no principles at all in these matters, apart from the principle of populism.

The SNP wishes to be taken seriously as an alternative party of government, but on fishing and GM crops, it advocates breaking the law. I am sorry, but it cannot advocate that route and be taken seriously as an alternative.

The Liberal Democrats will support the amendment in the Executive minister's name because it reflects our manifesto commitment, which is what we stood and were elected on.

10:30

Alex Fergusson (Galloway and Upper Nithsdale) (Con): Almost a century ago, scientists invented chlorofluorocarbons and the world was able to postpone its milk going sour by keeping it in fridges. We now know that we were simultaneously blowing a hole in the ozone layer, which may or may not be repairable. If we could rewrite history, I suspect that the invention of the fridge might have been somewhat delayed.

Today, we face a similar dilemma of equal importance. We have a choice between accepting the commercialisation of GM technology—which science suggests is safe, although by no means unanimously—and continuing the research into and development of the technology but putting the commercialisation on hold. Unlike when the decision-making process that led to the introduction of CFCs took place, we now live in a world in which public opinion is supposed to be taken into account, or so Governments would have us believe. The UK Government spent £500,000 over six weeks on consulting its population of around 60 million. The New Zealand Government spent £2 million over 14 months on consulting its population of 3.5 million. That statistic is relevant to the debate because we can learn many a lesson from New Zealand about marketing agricultural produce in the global market.

Only two days ago, I attended a very good conference run by Quality Meat Scotland at which Gerry Thompson, the general manager in Europe for Meat New Zealand was a principal speaker. He told us that New Zealand was and would remain at the forefront of GM research and development, but he affirmed that the New Zealand Government, having listened to the concerns of its people and customers over 14 months concluded that neither the time nor the technology was yet right for wider commercialisation and that it would not go down that route.

George Lyon: Will the member give way?

Alex Fergusson: No. We have heard quite enough from Mr Lyon today.

Mike Rumbles: Alex!

Alex Fergusson: Mike Rumbles is right to be surprised. I do not usually get riled, but George Lyon is doing a good job of riling me this morning.

Our Governments have caved in following the most minimalist consultation exercise ever devised. Shamefully, the Government in Scotland has done so without any justification, as any seed that is added to the certified list must be a proven improvement on what is already available.

Allan Wilson *rose—*

Alex Fergusson: I will take an intervention in a second.

As Alex Johnstone and Mark Ruskell clearly stated, we are told that Chardon LL is unsuitable for Scottish conditions. In any event, the trials involved the use of atrazine, which is a banned pesticide.

Mike Rumbles: Will the member take an intervention?

Alex Fergusson: Certainly not from a Liberal Democrat. I will take one from the minister.

The Deputy Presiding Officer: Minister.

Roseanna Cunningham: He is not listening.

Allan Wilson: I was listening. I am being accused of giving in and surrendering and all the rest of it. What exactly have we done? We have applied for an amended consent for Chardon LL maize based on the outcome of the farm-scale evaluations. The original consent was approved in 1998. How does that constitute surrender or caving in?

Alex Fergusson: Roseanna Cunningham answered that question. The European requirements have changed considerably since then.

On the subject of atrazine, Professor Geoff Squire, who was a member of the farm-scale evaluation independent steering group said:

“Obviously, if atrazine is withdrawn, we'll have to look at maize again. This is a package, the GM crop and the herbicide. If either element changes, we shall have to revisit it.”

Wrong, professor, we are not revisiting it, we are going to commercialise it.

If we do so, my constituency is likely to be the most affected in Scotland. A farmer who is a constituent of mine is quoted in the latest edition of *The Scottish Farmer* as saying:

“If I see a commercial advantage in growing GM maize, of course I'll grow it.”

I do not blame him for that—he is a businessman—but it blows wide apart the Executive's assertion that the consumer will decide the outcome.

Our country cannot afford to lose the integrity and pure status of the food that we produce. I agree with the Executive's proposal for a voluntary GM-free zone—Scotland should be one. I urge members to vote for the motion.

10:34

Allan Wilson: We reject the SNP motion and ask members to support the lengthy and comprehensive amendment that has been agreed between the partnership parties. We reject the calls for an inquiry because we have just had an open and transparent public inquiry, as Sarah Boyack and Nora Radcliffe said. Their speeches were an injection of light into what has otherwise been a fairly dark debate. The inquiry was called the GM dialogue. No other country has undertaken such a comprehensive and rigorous assessment of the case for and against GM crops. We have weighed up the evidence and found that the only sensible and legally sustainable approach is to assess each GM crop on a case-by-case basis.

Richard Lochhead: Will the member give way?

Allan Wilson: No. I want to put some points on the record. I gave way several times earlier, including to Mr Lochhead.

It is ironic that some of those who opposed the farm-scale evaluations before they were set up now call for more and bigger evaluations. The fact that atrazine will no longer be used does not invalidate the outcome of the farm-scale evaluations of maize. That point was made in no less a scientific journal than *Nature* on Friday 5 March. I understand how difficult it is to reach agreement among farmers. Three farmers are sitting in front of me, each of whom has a different approach to the issue. However, we agree that future research may be necessary, particularly if the industry applies for a renewal of the release consent in 2006, which was a point that one of those farmers made.

As I have explained, decisions about what can be consumed or grown in the EU as a whole are taken by the member states. The Greens should look at the legal advice that the parliamentary solicitor provided to the Transport and the Environment Committee. That was not Executive legal advice, although the advice that I have received has been clear and concise. The advice to that committee confirmed that neither the Parliament nor the Scottish ministers have the power to impose a blanket ban on the release of GM crops.

The subsequent directive 2001/18/EC, to which Ms Cunningham referred, re-emphasised that point. When a product—[*Interruption.*]. If members cared to listen to the explanation, they would find out that recital 56 states:

“When a product containing a GMO, as or in products, is placed on the market, and where such a product has been properly authorised under this Directive, a Member State may not prohibit, restrict or impede the placing on the market of GMOs, as or in products, which comply with the requirements of this Directive.”

Richard Lochhead: Will the member give way?

Allan Wilson: In my summation, I will come to the point that Mr Lochhead made earlier.

As George Lyon properly pointed out, the precautionary approach provided the scientific justification for our decision to oppose the cultivation of GM, herbicide-tolerant, spring-sown rape and beet, as grown in the farm-scale evaluations. Science has shown that the management regimes associated with those crops have a more harmful effect on biodiversity than those of their conventional counterparts. With maize, the same precautionary and science-based approach confirmed that the reverse is true. Growing GM, herbicide-tolerant maize is better for many groups of wildlife than is growing conventional maize.

Bruce Crawford: Will the minister give way?

Allan Wilson: I say to the chief witch doctor of the SNP that we cannot accept scientific advice only when it fits our prejudices. The fundamental point is that the farm-scale evaluations have vindicated our precautionary, case-by-case, evidence-based approach. Despite all the bluster and claims from the Opposition, we do not have the power to ban GM crops without evidence of harm. That important legal point has been confirmed in advice from the parliamentary solicitor to one of the Parliament's committees.

As I explained, we have already undertaken a comprehensive and rigorous inquiry into GM. We do not, therefore, need another one. We have used “all existing legal powers” to block approval for the commercial growing of rape and beet

“in keeping with the precautionary principle”.

We have neither the scientific evidence nor the legal powers to ban GM maize. Without such evidence, the SNP proposal would be illegal and the Executive would be liable to infraction proceedings. The SNP's motion is based on an anti-science and Euro-sceptic policy—it is no more than populist opportunism. I urge the Parliament to reject it.

10:40

Rob Gibson (Highlands and Islands) (SNP): I want to make it quite clear that Executive party members appear to have addressed an entirely different debate to the one that we proposed in our motion. The SNP is not asking for a blanket ban on GM crops, but for a full inquiry into Chardon LL maize. There is plenty of evidence to suggest that severe doubts exist as to whether Chardon LL maize should be accepted on to the seed list.

Although the Executive says that it has involved the public and that it has tried to impress on them the potential for choice in food, the debate on the whole process of the GM farm-scale trials continues. Indeed, the House of Commons Environment—

George Lyon: Oh!

Rob Gibson: We are happy to take evidence from the United States of America, New Zealand and so on. If George Lyon is so blinkered, he will miss the points that are clear to see.

George Lyon: Will the member take an intervention?

Rob Gibson: No, thank you. Sit down.

As I said, the report by the House of Commons Select Committee on Environment, Food and Rural Affairs into the conduct of the public debate on GM concluded that

“the wider public was in the main not informed by the debate, and nor were their opinions canvassed.”

That is a severe questioning of the Government's real efforts to involve the public in the debate about the effects of GM on the products that the public buys.

Let us break down the subject of the debate and think about it. We are talking about feeding maize fodder to cattle. There is a free market in cattle across the border between Scotland and England.

George Lyon: Will the member give way?

Rob Gibson: No, thank you.

It is possible that supermarkets that buy food on the basis that it has no GM content or, in the case of the European agreement, that that content is not above 0.9 per cent, will find it necessary to require absolute testing of nearly everything that

they purchase because, increasingly, there will be contamination.

As far as the SNP is concerned, it is necessary to have the kind of full inquiry that we propose in the motion because the public is not convinced; indeed, the Government has not convinced them. I was appalled to hear the Deputy Minister for Environment and Rural Development suggest on television that it was job of Governments and producers to convince the public that GM food is safe. If members and the minister look back at "Newsnight Scotland", they will find out exactly what he said.

It is interesting to note that the Consumers Association supports the SNP motion. The association does not trust the science that has led us to the position that we are in today.

Earlier in the debate, we tried to get a response from the deputy minister on the fodder maize studies. When Peter Ainsworth, the chairman of the House of Commons Environmental Audit Committee was challenged on the fodder maize studies, he said:

"It is quite clear that this research is highly speculative. It appears that meaningful results from only four fields which did not use atrazine or other triazines in the trials can be examined with any confidence, and that this number of fields provides no statistically sound basis upon which to extrapolate results with any certainty whatsoever."

Allan Wilson: Would the member therefore disagree with the subsequent scientific research, which, as I said earlier in response to the Conservatives, was published in the scientific journal *Nature* on Friday 5 March? Does he disagree that, in the short term, the banning of atrazine does not invalidate the conclusions of the farm-scale evaluations in respect of herbicide-tolerant maize?

Rob Gibson: The press release from which I quoted was Mr Ainsworth's response to the article in *Nature*. That is why there is a large degree of doubt about the whole issue, which the Government is not acknowledging.

Nora Radcliffe: Will the member give way?

Rob Gibson: No, thank you. I do not have time to do so.

The SNP position is that we have to ensure that the science is not flawed. Of course, science learns as it goes along: there are plenty of examples of that, including those of CFCs and CJD. As far as the Environmental Audit Committee's report is concerned, a number of concerns about Chardon LL maize are raised in its 27 recommendations and conclusions. The results of the forage maize trials, which we heard about earlier and on which I questioned the deputy minister last week, have not been published. The

trials have not been peer reviewed and there is therefore major doubt about them.

I turn to the question of gene flow. No attempt was made in the farm-scale trials to deal with the question over the long term. The farm-scale trials were extremely limited. The Environmental Audit Committee recommended that no decision should be made in respect of the commercial growing of GM crops until thorough research, gained from the experience in North America, has been completed and published. That research is important; because of the length of time that GM crops have been grown in North America, more and more we find that many people are disadvantaged by the whole process.

I know that the minister would like to have a shouting match, but the SNP believes in the truth and in the science and in looking at all the options that are open within the European Union for us to say no.

In the legal opinion that Friends of the Earth got ahead of the debate in the National Assembly for Wales, questions of animal feed safety, horizontal gene transfer, pollen dispersal, ensuring that varieties comply with the terms of new directive 2001/18/EC, and flaws in the regulatory process, open up the possibility of using article 4.4 of the common catalogue directive 2002/53/EC, and of deciding whether value for use is satisfied and whether the discretionary elements of regulation 5 of the Seeds (National Lists of Varieties) Regulations 2001 (SI 2001/3510) should be used. The Scottish Executive has refused to use those parts of the European Union regulatory process. The SNP motion suggests that a full inquiry should look at that and that, in the meantime, there should be no listing of Chardon LL in the UK. The deputy minister should stand up for Scotland and stop caving in to his London masters.

Council Tax

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-1050, in the name of Fergus Ewing, on the abolition of the council tax, and three amendments to the motion.

10:48

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): The Scottish National Party is pleased to choose local government taxation as the topic of our second debate this morning. Council tax affects a great many people in Scotland, particularly those on low incomes, fixed incomes and senior citizens. The SNP has brought forward detailed proposals to abolish the unfair council tax, which tends to hit the poorest hardest, and replace it with a local income tax that is based on the ability to pay.

As we know, the Conservatives introduced the council tax in 1993. In every year since its introduction, the council tax has increased beyond the rate of inflation. Since its introduction by the Conservatives, the level of council tax has doubled and, since Labour came to power in 1997, the level of council tax has risen by 50 per cent.

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

Fergus Ewing: No, not just yet.

The basis for the SNP's proposal for a local income tax is simply this: we propose a tax that is based on fairness and the ability to pay. The higher the council tax has become, the more manifestly its unfairness has been shown. That is because a tax that is based on the notional value of a building has no connection with people's capacity to pay. For some senior citizens, the council tax represents a quarter of their available income. As for people such as MSPs, on the other hand, who command a handsome salary and a high income, we do rather better. We believe that that is unfair and that that situation must come to an end.

We have set out our proposals in considerable detail. We are usually attacked by the unionist parties for not doing so. It is recognised by the newspapers and by serious commentators that our proposals are workable, serious, well thought out and, more than that, in line with the strand of Scottish opinion about what is correct. I draw attention to the fact that the Chartered Institute of Public Finance and Accountancy has recognised that a local income tax would have considerable benefits. CIPFA has said, for example, that there may be savings of up to £500 million were a local income tax introduced on a United Kingdom basis,

and that the tax would be cheaper to collect. Under our detailed proposals, we have set out our belief that savings would be gained, for example, through the lack of any need for a complicated valuation system, which would go. That and other savings would amount to £78 million a year. We believe not only that our proposals would be workable, but that they would be cheaper to administer.

Des McNulty (Clydebank and Milngavie) (Lab): Would the member also agree with CIPFA's statement—which I think is on its website—that rushing down that route would be a “disaster for all concerned”?

Fergus Ewing: Well, isn't that interesting? When we make a serious contribution to the debate and set out our proposals in great detail, we hear the charge that we are rushing into something. I ask Mr McNulty to tell us where the word “rushing” appears on our paper, among any of our utterances or in our motion. Is that really the best that the Labour Party can do on our proposals?

Last week, we heard a quite outrageous assertion by Mary Mulligan. Incidentally, I see that it has been dropped in the letter that Mr Kerr sent to Mr Swinney, which I have in front of me, and which seems to be a pretty poor piece of work. Last week, Mary Mulligan said that there was a black hole in our figures. She said that the approximately £300 million that is used in respect of council tax rebate would be withdrawn. The Labour Party here, which is supposed to be a party speaking up for Scotland, is making unilateral threats that money designed to fund the council tax rebate would be withdrawn. What sort of definition of home rule do Labour members use if they think that, if we went down our own road and had a local income tax based on fairness, the contribution to which Scotland was entitled should suddenly be withdrawn? Did Mrs Mulligan consult Gordon Brown on that? Will Tavish Scott say whether it is an official Executive policy that the price for Scotland going down a different route would be a Westminster fine of £300 million?

Mr Brian Monteith (Mid Scotland and Fife) (Con) *rose—*

Fergus Ewing: I see that Labour members do not want to answer that charge, so I will just have to let the Tories in.

Mr Monteith: I am delighted that the member has given way, and I am thankful to him. Were the tax rebate still to be made available, and not withdrawn—if that is the way the member describes it—would it actually be used? If, as Fergus Ewing argues, there were a fairer local income tax, which did not tax people on those levels for which they would otherwise be claiming

benefit, then surely the council tax rebate could still exist. It is simply that it would not be drawn down. Therefore, Fergus Ewing's point is anomalous.

The Deputy Presiding Officer: You are now going into your last minute, Mr Ewing.

Fergus Ewing: I am glad that Mr Monteith has recognised that the council tax is unfair. Is he saying that there should be a Westminster fine? Certainly, Scotland should receive her entitlement, and the idea that that should be confiscated is ludicrous.

Let me turn to the Liberals. The Liberals' policy is curious. On the one hand, they have committed themselves to a local income tax for several decades, yet they do not seem to want it to come in.

Christine Grahame (South of Scotland) (SNP): They are not in a rush.

Fergus Ewing: Indeed, they are not in a rush.

Iain Smith: Will the member give way?

Fergus Ewing: I am in my last minute.

Iain Smith: Will the member give way?

The Deputy Presiding Officer: The member is in his last minute.

Fergus Ewing: The Liberals say that the local income tax would be introduced by the end of the next session. The end of the next session occurs in 2011, so the Liberals' policy is seven more years of the council tax. There is one tiny problem with that. Their website says "Axe the Tax"—their weapon appears to be the axe. The reality, however, is that we are to have the council tax for another seven years—so their weapon is in fact the review, which the Liberals are using as a fig leaf to conceal the fact that they have no intention whatever of standing up for their principles.

Yesterday was St Patrick's day. Dr Elaine Murray and I had the great pleasure of visiting Ireland as part of our committee business on Monday and Tuesday of this week. We heard the ambitious, bold, imaginative and well-thought-out plans of the Irish for their country. What a tragedy that we do not have an independent Parliament, where we can do likewise and where we can deliver our detailed proposals for a local income tax, on which no one has yet laid a single glove.

I move,

That the Parliament believes that the council tax should be abolished and replaced with a fair system of local income taxation based on ability to pay; notes that the Partnership Agreement published on 15 May 2003 included a commitment to establish an independent review of local government finance; further notes, however, that no such review has been established, and calls on the Scottish Executive to honour its commitment by establishing the

review forthwith under an independent chair and reporting back to the Parliament by the end of 2004.

10:56

The Deputy Minister for Finance and Public Services (Tavish Scott): I cannot be the only member here with a strong feeling of déjà vu, particularly after listening to Mr Ewing. We have debated local government finance time and again. It is rather like the line, "Everything has been said, but not everyone has said it." I feel the same sense today. We debated a similar motion last week during Mr Sheridan's time. The facts have not changed since then, but, heck, this is a chance to repeat them.

Mr Ewing has made much of the matter. He has made some interesting contributions today, in particular his criticism of my party—indeed, of both partnership parties—over the matter of a review. Mr Ewing's motion says that the SNP wants a review, but we would not have known that from the last couple of minutes of his speech. He also demanded that we announce such things immediately. I note that Mr Ewing's motion contains the word "forthwith". If a minister stands up and says that something will be done "forthwith", then Mr Ewing and his colleagues howl and scream at us, saying "soon", "shortly" or "at any time in the near future".

Tommy Sheridan (Glasgow) (SSP): It is interesting that the minister has managed to remember that we held a similar debate last week. Has he changed his position? Can he now give us more details of the review, which has been promised for nine months?

Tavish Scott: I accept that the review was promised as part of the partnership agreement. Apparently, Mr Sheridan is going to give me a torrid time again today, so I look forward to that. We will do these things as we do them: in the appropriate way. [*Laughter.*] Well, there we go: members want to have it both ways. Just a couple of minutes ago, Mr Ewing was saying that we were rushing things; his motion says "forthwith"; then he does not want to rush them. Opposition members need to decide what they want.

Mr John Swinney (North Tayside) (SNP): I questioned the First Minister on the matter last week, asking him to give us some degree of detail and an idea of when the review might come. The First Minister injected into the debate a line that we had not heard before, which was very interesting. He said that the review would be at some stage during this parliamentary session. That gave some of us a sense that the long grass was near, and that the ball was about to be kicked into it. Can we have some idea of what year in the current session the review will start and finish in?

Tavish Scott: I can absolutely, categorically confirm that the remit of the review is being considered, and that we will announce how the remit will be taken forward, and the precise nature of the remit, as quickly as we can after the Easter recess. I give that absolute commitment. It will be as soon after the Easter recess as possible.

Mr Swinney: I am genuinely grateful to the minister for what he has just said. I take it that the remit will be announced after the Easter recess, but before the summer recess.

Tavish Scott: Yes—it will be announced after the Easter recess. As with every aspect of government, it would always be nice to be able to stand up in Parliament and say that we have immediately solved all the problems and, in this case, that we have sorted out all the issues around that remit. There are a number of matters that are still under active discussion, but we will bring the remit forward in the appropriate time.

The SNP is calling for the council tax to be abolished and replaced with a system based on ability to pay. The SNP would presumably accept that nobody likes paying tax, that there is no perfect taxation system and that anyone who suggests that there is one is living in cloud-cuckoo-land. I would dearly love, as any minister would, to have the perfect taxation system, which is why we are considering the matter through a review.

It is important to reflect, as Mr Ewing did not, that people on low incomes already get help to pay their council tax. No system is perfect, but low-income households receive assistance. Around a quarter of households in Scotland—

Christine Grahame: Will the minister take an intervention?

Tavish Scott: I want to finish the point; I have given way a lot to the front-bench SNP members. Around a quarter of households in Scotland—more than 500,000 households—receive council tax benefit. More than a sixth of households—around 400,000 households—receive full council tax benefit and pay nothing whatever in council tax. Almost 40 per cent of pensioner households receive council tax benefit and we are working with the Department for Work and Pensions to ensure that more of those entitled to benefit apply. It is worrying that four in 10 pensioner households that are entitled to council tax benefit do not apply. That is why the WT, WD—excuse me—the DWP campaign to encourage more pensioners to take up what is theirs by right is appropriate. I hope that Christine Grahame and other colleagues throughout the chamber will encourage and be part of that WB—I cannot say it—DWP campaign.

Mr Swinney: The Government could not get the WMDs either.

Tavish Scott: The council tax benefit system that I have described has been conveniently forgotten in the examples that Mr Ewing has given today. Local government and the agencies that it supports through its funding system must have a mechanism to ensure that that funding continues. That is why a review is the right way to proceed. I commend the Executive's amendment to the Parliament.

I move amendment S2M-1050.4, to leave out from "believes" to end and insert:

"agrees that the forthcoming independent review of local government finance should be asked to conduct a thorough examination of a range of local taxation systems, including the various proposals for an income-based system and reforms to the present council tax system, and encourages all those who wish to make a meaningful contribution to the review to submit their proposals when called upon to do so."

11:02

Mr Brian Monteith (Mid Scotland and Fife) (Con): Clearly the minister could not find his WMDs when he was looking for them.

It is alleged that the council tax is unfair, and John Swinney has given an example of that. I have seen a copy of Mr Swinney's exchange of letters with David McLetchie, in which he asks whether it can be fair that a pensioner with an income of £13,000, living in a band G property, should pay £2,000 in council tax, when a neighbour with an income 10 times that—£130,000—and also living in a band G property, pays exactly the same amount. On the face of it, that seems unjust.

Let us ignore for a moment the value of the property, which is probably in the region of £250,000 to £500,000, because whether that asset can be realised is another issue. The example that John Swinney gave does not tell the whole story. We have to consider the totality of the tax revenues that the two neighbours contribute. Although they probably place similar demands on local services, we need to recall that 82 per cent of that cost is borne by revenue from a broad range of taxes, such as income tax, business taxes, VAT, duties and charges. Someone with an income of £13,000 can expect to pay £1,000 in income tax, which together with the £2,000 council tax gives a total bill of £3,000 in tax contributions. In comparison, the neighbour with an income of £130,000 is paying £44,000 in income tax, which together with the £2,000 council tax gives a bill of £46,000. The neighbour who has 10 times the income is paying 15 times the amount of tax. That is the whole picture and it suggests that the broad taxation system is fairer.

Christine Grahame: Does the member agree that a large burden of tax comes through stealth

taxes, such as VAT and petrol charges, which are carried by the low paid and those on fixed incomes, who have no way of avoiding them? He is not showing the whole picture.

Mr Monteith: I am showing the whole picture. I can refer the member to various statistics that show clearly that the largest tax contribution is paid through income tax.

Mr Swinney: I am grateful that Mr Monteith has followed the exchange of correspondence with such interest; I know that he is an avid reader of everything on the issue. Does he understand that the fundamental point that I was making in the comparison was that the retired couple have paid handsomely in income tax throughout their working life and now, in their retirement, they are being punished systematically by the council tax? Having to pay 25 per cent of their income in council tax is an unfair burden for those people to carry in the latter part of their life.

Mr Monteith: One has to consider the totality of what people are earning and what they are paying in taxes. It is clear that somebody who earns £130,000 has different outgoings from someone who earns £13,000 and might be paying mortgages and loans—possibly student loans. There are different components. The fact that somebody has an income of only £13,000 means that they will also have fewer outgoings. It is therefore to be expected that council tax will form a larger proportion of their tax contribution.

I will move on, because other aspects of what the SNP is saying need to be taken up. Only a quarter of Scottish businesses pay corporation tax and there are 260,000 self-employed taxpayers in Scotland. Those two facts tell us that, for the vast majority of Scottish businesses, the important taxes are business rates and income tax. Those taxes hit the bottom line and determine what people have available to spend. What does the SNP propose to do? Does it listen to its free-market wing, represented by Jim Mather? No. The SNP is a tax-and-waste party, so John Swinney suggests that it would give local authorities control of business rates and abolish the sole property-based tax and replace it with even higher income tax. A self-employed businessman or businesswoman can expect to pay the basic rate of 40p on his or her earnings, compared with a corporation tax of only 19p. The SNP's proposals would widen that gap and punish severely one of the most important sectors of our economic community.

I move amendment S2M-1050.3, to leave out from "the council tax" to end and insert:

"local taxation cannot be viewed in isolation and must be seen as part of the overall taxation system, particularly as locally variable taxes only raise 18% of council revenues with the rest coming from charges, business rates and

central government grants and further believes that the independent review of local government finance must take account of what range of responsibilities is best administered locally and ensure a broadly-based system of national and local taxation with a combination of income, consumption, capital and property taxes as the best way of delivering a fair and balanced system."

11:07

Mark Ballard (Lothians) (Green): We have heard various arguments in support of an income-based local tax. The underlying principle is perhaps best expressed as, "The broadest back should bear the greatest burden." That is a fine principle, but I do not believe that it necessarily holds in this case.

Taxes are on wealth, but wealth comes in many guises. The most straightforward argument against a local income tax is that it is not sensible to put all our fiscal eggs in one basket. There are also many practical problems with local income tax. Individuals move between local authority areas and an employer can employ staff from many different localities, therefore a huge administrative burden would be created. Those who are in favour of extending income tax wish to do so because of its apparently clear redistributive nature. However, income tax is a tax on working and it fails to distinguish between earned and unearned income. It is hugely complex, evasion is rife and a legion of accountants is employed to ensure that the very wealthy can easily avoid paying their proper share.

Fergus Ewing: If a local income tax would be so difficult to collect, how does the Inland Revenue manage to collect income tax so well?

Mark Ballard: The point of a local income tax is that it would be different in each local authority area. We heard an example in the debate last week of a company that might employ people from many different local authority areas, given that those areas are small. That is the problem. Individuals can move between local authorities and work in different areas, but land and property do not move. That is why we need a portfolio of taxes and why we need to keep a property tax, rather than the flawed system of council tax and business rates. A property tax of the right form is a fundamentally just way in which to raise public revenue, and a tax on local property is an appropriate way for a local authority to raise such revenue. We must reform property taxation, not simply bin it in exchange for a local income tax.

For that reason, on Friday I introduced my proposal for a bill to do just that. The proposed reform of council tax and business rates (Scotland) bill would modify the system for funding local government in Scotland. The key reform that the bill proposes is shifting the base of

assessment away from whole property values on to land value only. The Parliament has expressed interest in that approach by agreeing to the motion to investigate land value taxation that was lodged by my colleague Robin Harper in January last year.

When the Chancellor of the Exchequer presented his budget to the House of Commons yesterday, he committed himself to investigating the possibility of taxing land value. Land value derives from the value that we place on particular locations. It is a function of the public services and other advantages that a site enjoys, together with the economic activity of the surrounding community, and democratic planning consents—that is, the planning permission that is given over the land—unlock those values. Land values are created by the community and they are therefore a proper source of public revenue.

My bill would compensate the community for the advantages that an owner enjoys through their monopoly use of their site. The principle is that the more someone takes from the community chest, the more they pay—a tax on land values is as simple as that. It is a genuinely progressive tax and it would benefit those who use tax wisely and efficiently. Occupancy rates would increase as landlords would suddenly have an incentive to fill vacant properties.

Let me finish with a short case study to further explain the benefits of land value taxation compared with local income tax. Mr Mohamed Al Fayed, who owns Balnagowan Castle and its 60,000 acres of surrounding land, announced on Tuesday that he is moving out of Britain to evade income tax. Under a system of local income tax, Mr Al Fayed would cease to make any payment at all to the community. I would say that he is a man who can afford to pay.

The Deputy Presiding Officer (Murray Tosh): I have to hurry you.

Mark Ballard: Mr Al Fayed is a man with a broad back indeed. Under a system of land value taxation, his estate would still be taxed, which is nothing more than reasonable. If the need arose, he would need fire engines to turn up to deal with a problem at his property. He would need local services and he should therefore pay for them, but that would not happen under a local income tax system. My bill would ensure that people such as Mr Al Fayed had to compensate the community properly for the advantages that they have.

It is evident that land value taxation helps to ensure that the broadest back carries the greatest burden. We need to maintain a local tax on local property.

The Deputy Presiding Officer: You must conclude now.

Mark Ballard: Land value taxation is the fairest way to do that.

I move amendment S2M-1050.2, to leave out from “income” to end and insert:

“taxation based on land values; notes that the Partnership Agreement published on 15 May 2003 included a commitment to establish an independent review of local government finance; further notes, however, that no such review has been established; calls on the Scottish Executive to honour its commitment by establishing the review forthwith under an independent chair and reporting back to the Parliament by the end of 2004; believes that local taxation based on land values will be to the benefit of Scotland’s economy, society and environment, and welcomes the commitment the Chancellor of the Exchequer made in presenting his budget for 2004 to the House of Commons to investigate the possibility of taxing land values.”

The Deputy Presiding Officer: I clarify that members are on four-minute speeches.

11:12

Des McNulty (Clydebank and Milngavie) (Lab): Margaret Ewing gave the game away last week when she said that she has been a member of the SNP for many years and that the SNP has been in favour of a local income tax for all that time. Why, then, did John Swinney put so much effort into going round the studios a week ago last Friday to announce the new SNP policy on local income tax? Perhaps it was to do with the fact that the SNP’s 1999 and 2001 election manifestos made no mention of a local income tax. Even in 2003, the SNP’s manifesto was for an independent review of local government finance, which is, of course, what the Deputy Minister for Finance and Public Services has said will happen later this year.

Fergus Ewing claimed that no one has laid a glove on the SNP’s local income tax proposal, but the reality is that the proposal never got to the ring because it failed the most basic credibility tests at the weigh-in. The central flaw in the SNP’s proposal is that it assumes that payments that are made to individuals in the form of housing benefit and rebates for council tax can somehow be transferred to the Scottish Executive and used as financial ballast for the SNP’s local income tax policy. As we have seen, there is no justification for such a transfer. It is for us to introduce local income tax if that is what the people of Scotland want.

Fiona Hyslop (Lothians) (SNP): Will the member take an intervention?

Des McNulty: No. I will carry on.

We can hardly expect the UK rules on benefit entitlement to be adapted to suit the removal, especially if it involves money being transferred from individuals and taken over by government.

That is a thoroughly bad principle, as I am sure Brian Monteith would agree.

Fiona Hyslop: Will the member take an intervention?

Des McNulty: No, I will not.

Fergus Ewing has a habit of never letting the truth get in the way of a bit of rhetoric. The reality is that 400,000 people in Scotland do not pay council tax and a further 131,000 get partial relief from it. How many of those people would be losers if the SNP got its way? The answer is not clear from the false examples that the SNP provides, because it calculates that the replacement of council tax would mean a 4.3p increase in income tax. That is just wrong, not only because it counts in £320 million that is unlikely to be available, but because the SNP's core understanding of the income tax system and its impact on individuals is desperately wide of the mark. That is even more the case after yesterday's budget, but even before yesterday most reputable commentators suggested that the rate that would be required to cover the amount that is raised by council tax would add a minimum of 7p to income tax.

I do not want to bandy figures about with Fergus Ewing, because I know that he has some difficulty with adding up. Probably the most ridiculous part of the SNP proposal is the idea that there will be 32 different levels of local income tax in Scotland. We heard last week that there would also be 32 different levels of business tax. How many rates of tax does the SNP want? Does it want one rate for every individual in Scotland, in line with its desire for a policy for every corner of Scotland?

The Deputy Presiding Officer: You have one minute.

Des McNulty: There are some unfairnesses in the present system, and Margaret Ewing made some genuine points about some of the people who live in her neighbourhood in Lossiemouth, but it should be recognised that the overwhelming majority of pensioners and people on low incomes who live in houses in bands A, B and C are protected under the present arrangements. Many of those people would be disadvantaged by the SNP's proposal, under which, contrary to the claim in the SNP's document, low-income pensioners would become liable to pay tax.

Last night, I spoke to a member who had been considering buying a house in Edinburgh, only to find that the house is close to the Edinburgh residence of Fergus and Margaret Ewing. The prospect of seeing Fergus rushing for the papers each morning to see whether his name is in them ended my informant's interest in the property. I finish by asking Fergus Ewing, as a person with at least two properties, whether he would pay the local income tax in Lossiemouth or the local

income tax in Edinburgh. Why could he not pay both? That would be a good idea.

The Deputy Presiding Officer: Time is now very tight indeed for the open debate.

11:16

Christine Grahame (South of Scotland) (SNP): Tavish Scott might not be in a rush, except to move to a slow review—he has been in coalition for five years—but the people out there have had enough. I have had a successful series of meetings throughout the Borders, which pensioners attended in large numbers. They are desperate to get rid of the unfair council tax. Their income has stayed still, and I must say to Brian Monteith that his contribution about the value of houses will have turned many pensioners against him. That is particularly so in the Borders, where average earnings are £80 per week less than those in the rest of Scotland and there has been a 57 per cent increase in council tax and water charges in the past five years. There have been 1,000 signatures on a petition to the Scottish Parliament in a few weeks. After five years in power, the minister might not be in a rush, but the people will not wait any longer.

I love the internet. It was interesting to trawl again to my favourite site—it is in my favourites—which is the Liberal Democrat "Axe the Tax" website.

Tavish Scott: Why, if the issue has been so important in the past five years, did the 1999 SNP manifesto not mention local income tax?

Christine Grahame: Mr Scott should be terribly careful with manifestos. We all know about the Airborne commitment in his party's manifesto, which he dropped at the first whiff of creaks in the partnership. Just like Mr Scott, we have been committed for years to a tax that is based on the ability to pay—only Mr Scott is in power and he is doing nothing about it. He is doing a lot on his website, which says:

"As Liberal Democrats, we have campaigned to replace Council Tax with a fairer system ever since we were formed - firstly as a replacement for the rates, then for the Poll Tax, and now to replace Council Tax. We're nothing if not consistent!"

That is a new one on me.

The website says that people can get involved in the petition and it continues:

"The more people who back the campaign to replace the Council Tax, the more pressure the Government will feel. The Tories had to back down on the Poll Tax. It's time Labour did the same over the unfair Council Tax."

It is signed, "Ed Davey MP". He goes on to say—

Mr Monteith: Will the member take an intervention?

Christine Grahame: I am on a roll just now, Brian.

Yesterday's press release from Ed Davey is headed "£100 for council tax is dishonest gimmick". In it, he says:

"Tucked away in the budget is the statement that council tax will increase by 7.4% ... making an average band D property bill £1253.37. This increase is more than three times inflation and amounts to a stealth tax. Although Labour is clearly running scared in the face of the powerful Liberal Democrat campaign to scrap council tax, they still haven't grasped the depth of feeling against this tax from the various groups affected by it. The only fair solution is to scrap council tax and replace it with local income tax, based on the ability to pay."

He also says, in brackets—not on that site—that the Liberal Democrats will set up a review.

Lastly, on

"Why the Council Tax Has to Go",

the Liberal Democrats say:

"While the Conservatives must take the blame for introducing such an unfair tax, Labour have made it worse, partly by inaction and partly by their over-centralised control of the council grant system."

Inaction? Who is being inactive? Ah, the wonderful Liberal Democrats. What would we do without them? They get rid of their principles at the drop of a hat. The list is endless—Airborne, fair voting in local government, local income tax and fisheries. They would do anything to be a deputy minister with a wee caur at the door.

11:21

Tommy Sheridan (Glasgow) (SSP): Christine Grahame has just spoken about consistency, so it is appropriate that I should now speak in the debate. Despite the fact that many members have consistently opposed the proposals to replace the council tax that the Scottish Socialist Party has brought to the chamber, no member can deny that we have consistently and tenaciously suggested those proposals because we think that the issue is a priority. We are pleased that more parties and individual MSPs agree that the issue is a priority. I hope that we can usher in a new dawn of unity and consensus on behalf of low-paid workers and the pensioner community throughout Scotland to ditch an unfair tax.

In 2000, we commissioned System 3, which is not the Conservatives' favourite polling agency but tends to be quite accurate in other areas, to conduct a poll on whether the Scottish public believed that the council tax is unfair and should be replaced by an income-based alternative. It is important to emphasise the words "should be replaced by an income-based alternative", because some members of the Executive team try to parade their defence of the council tax by

saying that people are opposed to the council tax only because they do not want to pay any taxes at all. People are clear that local services must be paid for, but they are also clear that the council tax is an unfair method of paying for such services.

In 2000, the System 3 poll returned a result that 71 per cent of the Scottish population believed that the council tax should be replaced by an income-based alternative. In February 2004, we asked System 3 to conduct another opinion poll, the result of which was that 77 per cent of the population of Scotland believed that the council tax should be replaced by an income-based alternative. The Parliament is beginning to catch up with the people on the issue.

The Parliament must unite around the principle of replacing the council tax. That is why I appeal to the Liberal Democrats. I am glad that Tavish Scott has, at long last, made a commitment and that there will be an announcement between the Easter recess and the summer. We will keep Tavish Scott to that. What he said will be in the *Official Report* and I am glad that it will be; it is nine months late, but at least it is in the *Official Report*.

The Deputy Presiding Officer: You have one minute.

Tommy Sheridan: We will look for a timescale. A review should not be kicked into 2007 before a proposal is made. A review should report back within a nine-month or 12-month period in order that an unfair tax system can be replaced in the Parliament's mid session.

I would like the council tax to be replaced much sooner than that. If a majority of MSPs wanted to replace the council tax, we could vote to replace it in the next financial year so that the current council tax bills would be the last such bills that would ever be presented. However, given that the Liberal Democrats will not join others who back the scrapping of the council tax, there might need to be a delay.

It is vital that we start to debate alternatives. Rather than having 32 local authorities setting individual taxes, we want an alternative that is set throughout Scotland, because that would be a clearer, more easily managed system and the money would be easier to collect. However, if the choice were between a local income tax across 32 local authorities and the current council tax, we would vote for the local income tax as an improvement. Local income tax would not be as good as the service tax, but it would be an improvement.

The Deputy Presiding Officer: I must hurry you.

Tommy Sheridan: We must conduct such a debate now on behalf of the ordinary people of Scotland. The poverty that surrounds far too many families is growing and we must put an end to it.

The Deputy Presiding Officer: You must stop now. I call Iain Smith, who will be followed by Stewart Stevenson.

11:25

Iain Smith (North East Fife) (LD): I am pleased to have an opportunity at last to contribute to the debate and to promote the long-standing and consistent support of the Scottish Liberal Democrats for replacing the unfair council tax with a fairer local income tax that is based on ability to pay.

The problems relating to the council tax have been well rehearsed. The tax is based on the value of where a person lives rather than on their ability to pay and it hits hardest those who are on the lowest incomes. Even Gordon Brown has recognised that this week by accepting that the over-70s have to pay a larger share of their income in council tax and by giving them, belatedly, a one-off bung to stave off a pensioners' council tax revolt in England.

Alasdair Morgan (South of Scotland) (SNP): Will the member take an intervention?

Iain Smith: I am sorry, but the SNP did not take any interventions from me. I will not take an intervention from that lot today.

Alasdair Morgan: I have not spoken yet.

Iain Smith: No SNP member took an intervention from me.

Christine Grahame: The member is frightened of the minister.

Iain Smith: I am not frightened—SNP members are.

The problem is that property value is used as a proxy for wealth, but it is not a proxy for wealth, as some seem to suggest. Two families that have very similar incomes and live in similar houses in, for example, St Andrews and Lochgelly in Fife, will find themselves paying vastly different council tax bills to Fife Council simply because of where they live.

In last week's debate, Christine May suggested that the wealthy would be able to duck the local income tax, but the council tax banding system builds in ducking for the wealthy. Everyone who lives in a property that is valued at more than £212,000 pays the same, whether they earn £20,000 or £200,000, and whether they are a single pensioner on a fixed income or a household of multiple earners. Everyone pays the same.

I do not believe that the revaluation or rebanding, which is the Labour alternative, will deal with that problem. For example, an elderly couple who live in Edinburgh will find that the value of their house has shot up since the valuation in 1991 and they will be faced with huge council tax increases that are based on the same fixed income.

Mark Ballard rose—

Iain Smith: I will take a brief intervention from Mark Ballard.

Mark Ballard: Does the member believe that property is a form of wealth?

Iain Smith: I believe that property can be a form of wealth, but property is also something in which people live. The ability to live somewhere is a fairly fundamental human right. Therefore, one must be careful about saying that property is a proxy for wealth or income. Property is somewhere where people live and the value of a person's property is not necessarily based on their income or their personal wealth—it is based on where they live. That is the problem.

Karen Gillon (Clydesdale) (Lab): Will the member take an intervention?

Iain Smith: I am sorry, but I am running short of time—I have only four minutes.

In effect, the elderly couple on a fixed income in the house in Edinburgh, whose council tax bill will shoot through the roof, will be faced with a simple choice—they will either have to pay up or sell up. From their fixed income, they will have to find enough to pay the increased council tax bills or be forced out of a house that they may have lived in all their lives. That is unacceptable.

I will not waste much time on the Conservatives, because we know what their policy is. They are in favour not so much of getting rid of the council tax as of getting rid of councils, which I am not in favour of. If we read between the lines of what the Conservatives say, we see that they would deal with the council tax problem simply by removing important local functions from local authorities, such as health, education and care of the elderly. I want no part of the Tory agenda to emasculate councils and destroy local democracy.

The Deputy Presiding Officer: You have one minute.

Iain Smith: I welcome the SNP's recent conversion to local income tax. *[Interruption.]* I have looked at the SNP's manifesto and there has been a recent conversion—or perhaps a reconversion—to the case for a local income tax.

I agree with much of what the SNP says in its publication "Proposal for a Local Income Tax". That is not surprising, because, as Christine

Grahame rightly pointed out, much of it seems to have come straight from the Liberal Democrats' campaign website to scrap the council tax.

The case in favour of local income tax is overwhelming and I have every confidence that that can be proved to the independent inquiry. However, I must say to Fergus Ewing, Christine Grahame and Tommy Sheridan that there is not yet a majority in the chamber even for scrapping the council tax. There are Labour and Conservative members who do not want to scrap it. There is even less of a majority for a local income tax. We must work together to create a majority.

Fergus Ewing should do the math. The Liberal Democrats have a tradition of working hard with others to build majorities.

The Deputy Presiding Officer: You must close now.

Iain Smith: We built a majority in the constitutional convention to get the Parliament, we built a majority to get rid of tuition fees and we will build a majority in respect of local income tax.

The Deputy Presiding Officer: Please close.

Iain Smith: The SNP should stop turning the issue into a political football and work with us—

The Deputy Presiding Officer: Mr Smith, your microphone has been turned off. You are over time. Sit down and resume your seat.

11:30

Stewart Stevenson (Banff and Buchan) (SNP): This has been an interesting debate, with more heat than light. Tavish Scott made an interesting point about the way in which council tax benefit works in relation to the current system. However, one of the key issues to bear in mind is the under-claiming of council tax benefits to which people are entitled compared with the claiming of benefits that are provided by the income tax system, which ensures that everyone can get what they are entitled to. The claim that the council tax system works fairly and properly because people may claim benefit is therefore not an adequate argument in favour of it.

Tavish Scott: I take Mr Stevenson's point, but that is exactly why we support so strongly the work of the department in London—the one whose name I could not pronounce earlier—that is specifically taking forward the take-up campaign in relation to council tax benefit.

Stewart Stevenson: I support any campaign that will ensure that we increase the level of take-up of benefits of all kinds. The difficulty is that the Government will not achieve the take-up that would be achieved via an income tax system, no

matter how hard it tries. That is the fundamental problem.

The minister is not alone in being confused. Brian Monteith showed that he moves in rather different circles from those in which I move when he suggested that the self-employed are on a 40 per cent marginal rate of income tax. I invite him to visit my constituency, where there are many very poor self-employed people, some of whom pay no tax at all. Only a small minority pay 40 per cent. The whole point of an income tax system is that what someone pays is based on what they can afford.

Mr Monteith: Will Stewart Stevenson take an intervention?

Stewart Stevenson: Look at the clock—I do not have time. I am sorry.

Mark Ballard promotes the land value tax—as usual and as is proper, given his party's commitment to it—but fails to explain how one may trade a capital asset into a revenue stream to pay tax. It is the same problem whether people have locked-in value in a capital asset in land or in houses: they simply cannot use it in that way.

Iain Smith suggests that it is unfair that people pay different levels of tax depending on where they live in a council area. That is the present position under council tax. That was a valuable contribution for Iain Smith to make to the debate, as it highlights the fact that local decision making—

Mr Monteith: Will the member give way?

Stewart Stevenson: I am in my last minute and am running out of time.

Des McNulty suggested, with a cavalier disregard for the interests of the people of Scotland, that we could hardly expect London to change the rules because we want to change the way in which our local councils gather income. Is not that precisely why the Scottish Parliament needs the full powers of a normal Parliament? That was an aberration on his part. He also said that low-income pensioners would start to pay tax, which shows a basic misunderstanding of the income tax system. Was that an aberration on his part, or an adumbration that we will shortly see a change in that regard?

I have had only a limited amount of time to speak, but that is as nothing to the limited time that the Government will have if it fails to respond to this problem. The minister must listen up or lose out.

The Deputy Presiding Officer: I apologise to John Swinburne. Other members have taken much of his time and I can allow him only two minutes.

11:34

John Swinburne (Central Scotland) (SSCUP): This has been a good debate. I enjoyed Des McNulty's boxing analogy. He should have kept working at it—he could have been a contender.

Our election manifesto called for the council tax to be replaced by a fairer local income tax. Until that happens, I call on local authorities to cap council tax increases for pensioners in line with the increase in their state pension.

I also give my full support to a petition, which is being submitted to the Scottish Parliament as we debate this issue, by a coalition of 15 major older people's groups. The petition—which I instigated in August, with the assistance of Help the Aged—calls for an inquiry into local government finance with the appropriate remit and independence to end the iniquity of the existing system, which has become unacceptable to the older communities who are an important sector of Scottish society.

Like many pension funds, local authority pension funds are in the red. However, unlike the rest of society, local authorities are not obliged to disclose the level of pension subsidy that they reallocate from council tax. In essence, pensioners who are living below the poverty line are paying for local authority pensions. That is totally unacceptable, and I call on the Executive to look into that practice urgently.

It is perfectly feasible that, with a listing of pensioners provided by the Department for Work and Pensions, local authorities could cap all above-inflation council tax increases for pensioners at the same level of increase as the state pension. That capping could operate on a temporary basis, until the SNP's motion was agreed to.

The Deputy Presiding Officer: I am obliged to you for your timekeeping, Mr Swinburne.

I call Robin Harper to close for the Greens. I have reduced your time to three minutes, Mr Harper.

11:36

Robin Harper (Lothians) (Green): I make it perfectly clear that the Executive must take on LVT in its review. The debate today has been restricted to a knock-about discussion of council tax and income tax, leaving out the third, very important, possibility that could be considered.

I cite the city of Harrisburg as a place where LVT does some of the things that income tax does not do. To Des McNulty and people living in the west of Glasgow I say that, a decade ago, LVT was introduced in Harrisburg and \$3 billion of extra economic development was put down to LVT. LVT taxes vacant land and brings it into use—that is

what happened in Harrisburg. People queued up to use acres of vacant land because it was going to be taxed and they did not want to hold on to it any longer.

We do not have a cadastral register of land in Scotland. LVT would introduce such a register, and we would know who owned what land in Scotland. We do not know who owns 20 per cent—a fifth—of all land in Scotland: it is held in offshore trusts and the money is drained out of the country. We do not know who that money is going to or why.

Fergus Ewing: Will the member give way?

Robin Harper: No. I have only three minutes. I am sorry.

LVT would be our tax and we could construct it as we wanted to construct it, which would address all the objections that have been raised in the past about little old ladies living in houses. Exactly the same kind of derogations could be made within LVT as are made through the council tax. I listened with interest to what John Swinburne said about compiling a list of pensioners.

Windfall rises in the value of land currently go into the pockets of developers and the people who own the land, not into the Exchequer, which is where windfall rises should go. We should recover those windfall rises for the community, and LVT would achieve that.

LVT would also force the use of land banks, especially in places such as Edinburgh, where quite a lot of land is still being held in land banks and is put into community use only when it suits the developers. That land would be taxed under LVT and there would be pressure on the developers to put it to use.

I have received an invitation from the city of Harrisburg to go there to see what is happening and find out why the people of Harrisburg and other cities in the United States are so keen on LVT. So that I am not accused of going on a jolly, I pass that invitation on to the Executive so that, when it comes to its review, it can send a team out there to conduct an in-depth evaluation.

I support the amendment in the name of Mark Ballard.

The Deputy Presiding Officer: I call Bristow Muldoon to close for the Labour party. Mr Muldoon, you have a strict four minutes.

11:39

Bristow Muldoon (Livingston) (Lab): As time is very limited, I apologise in advance to members if I do not take any interventions. Members will know that I usually accept interventions.

There are legitimate reasons for having this debate today. For a start, people are concerned about increases in council tax, although I contend that much of that concern has been driven primarily by increases in England and Wales. There is also concern about the impact of the tax on pensioners and other low-income households; questions have been raised about the fairness of the tax itself; and local authorities want a fundamental review of local government finance.

As members have suggested a variety of ways of improving the local taxation system, I want to consider the approaches that the Labour Party, the Scottish National Party and the Scottish Socialist Party have proposed. In the Labour manifesto, we clearly stated that the council tax system should be improved. We also reflected that the current banding system is perhaps not as progressive as we would wish it to be. In the forthcoming review of local government finance, the Labour Party will argue for improvements to the banding system to enhance its fairness. In that respect, Iain Smith's criticisms of the current banding system made Labour's case for reforming the system and improving its progressiveness in the way that we have advocated.

Des McNulty referred to the council tax benefits system. We must acknowledge that, in the current system, there is some relationship to the ability to pay; after all, 25 per cent of all households and 40 per cent of pensioner households receive some form of council tax benefit. The deputy minister was absolutely right to argue that the 35 per cent of pensioner households that are entitled to council tax benefit but do not claim it should be encouraged to do so. We should support the efforts of the UK Government and local authorities to improve the situation and ensure that all pensioners claim the benefits that they are legally entitled to. Moreover, we should also welcome Chancellor Gordon Brown's recognition in yesterday's budget that many pensioners exist on lower incomes and his announcement of a £100 payment for the over-70s to mitigate council tax levels.

As with many debates in this Parliament, the SNP's approach is inconsistent and incoherent. Week after week, SNP members advocate lower levels of taxation. For example, we have heard their arguments for lower levels of corporation tax, lower local business rates and—this morning—lower levels of local taxation.

Fergus Ewing: Does Mr Muldoon not accept that the SNP quite clearly recognises that those who are better off—for example, those who earn more than £50,000, £60,000 or £70,000—are likely to pay a bit more under its proposed tax system than they currently pay, because that is only right and fair?

The Deputy Presiding Officer: Watch your time, Mr Muldoon.

Bristow Muldoon: Mr Ewing misses the point. As he is on the right wing of the SNP, he consistently argues for lower levels of taxation, while the SNP's left-wing front-bench members have argued for higher levels of public expenditure. The SNP cannot have it both ways; it cannot have Scandinavian levels of public expenditure based on Irish levels of taxation.

The SSP is similar to the SNP in one regard. In arguing for higher levels of income tax for higher earners, Tommy Sheridan often mentions the extra money that an Executive minister or an MSP will pay under his system. However, we do not hear quite so much about how much extra a hospital consultant or an academic will pay.

The Deputy Presiding Officer: You must end now.

Bristow Muldoon: Although the SSP supported the pay dispute by the Association of University Teachers Scotland, it stayed pretty silent about the fact that any increase that union members got would disappear in the SSP's plans for a local income tax, which would—[*Interruption.*]

The Deputy Presiding Officer: No. Mr Muldoon, I could not have been clearer. You had a strict four minutes, and your time is up.

I call David Mundell to close for the Conservatives. You have four minutes, Mr Mundell.

11:44

David Mundell (South of Scotland) (Con): This debate has been interesting. Indeed, I will be interested to hear Mr Scott's response and find out whether he is replying on behalf of the existing coalition or the new coalition between the Liberal Democrats and the SNP that Mr Smith suggested.

The Liberal Democrats cannot have it both ways. The other day, I received a leaflet headed "Axe the Tax" through the door of my Edinburgh flat. However, the leaflet came from the Liberals, not the SNP, and informed me that the Liberal Democrats were in the vanguard of ensuring that the council tax would be abolished in Scotland. They will not be in that vanguard after today's performance.

It will not surprise anyone in the chamber that the Conservatives will not be supporting Mr Ballard's amendment. If the Greens were in charge of the country, the debate about introducing a local income tax in Scotland would be completely irrelevant because their policies would mean that no one would have any income to tax.

Although I accept that some people are paying unfair levels of council tax, that is predominantly because of the choices that have been made by the council administrations under which they live. It was probably because her time was limited, but it surprised me that Christine Grahame did not point out to the chamber that people in the Borders have to pay such a high level of council tax because of the mismanagement of Scottish Borders Council's finances by the previous Liberal Democrat administration that brought the council itself to its knees. When a joint administration involving the Conservative party sought to reduce the level of council tax that the Liberal Democrats had proposed, the Liberals voted against it and then Liberal Democrat councillors claimed that the Scottish Executive treats the Borders unfairly. I suggest that that is a bit of an indictment of Mr Purvis and Mr Robson.

The situation is not much better for people who live under SNP local authority administrations. For example, the SNP in Dumfries and Galloway Council does not have any policies; certainly, the fact that its members do not follow the party's national policies has allowed them to go into coalition with Labour and the Liberals. Indeed, they even suggested a coalition with the Conservatives. However, that was not for us. I have to say that, when SNP members were at the heart of the administration, we saw a 20 per cent rise in council tax. In fact, they are still in the administration and back public-private partnerships, school closures and anything else that ensures that leading SNP councillors retain their allowances. If we have a party like that in local government, how can we be confident about the levels of the new income tax that it would levy? In this respect, I agree with the new, turbocharged Des McNulty. The minimum level of a local income tax would be 7p, and a lot of people would be a lot less well-off under such a regime.

We favour a review that takes into account not just this narrow element, but everything to do with local government funding. It is interesting that the review will be announced between Easter and the summer recess. Some members will not have missed the fact that the Parliament will not be sitting for three weeks of that period, and I very much expect the details of the review to be announced then to ensure the usual fudge by the Labour and Liberal Democrat parties. At the end of the day, the most likely outcome of the review is that a lot of people will be paying a lot more in council tax.

The Deputy Presiding Officer: I call Tavish Scott to respond for the Executive. Minister, you have a strict five minutes.

11:48

Tavish Scott: Thank you, Presiding Officer. As with many other things, I seek to be held to that.

In Scotland's new Parliament and evolving democratic system, it is important that the fundamental issues of local government finance are given the proper airing, considerable scrutiny and a lot of time in the chamber and the Parliament's committee rooms. In that sense, I welcome any opportunity to debate these matters in the chamber, because they are fundamental to many aspects of public service delivery. We will establish the review as part of the partnership agreement. It will be comprehensive and represent the most serious examination of local taxation that has ever been undertaken in Scotland.

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

Tavish Scott: I want to make some progress, if I may.

All taxation alternatives, including the various forms of local income tax and reforms to the existing council tax system, will be compared against the agreed tests of fairness, economic impact, ability to pay and the cost of collection and implementation. As such considerations are important, I trust that members of parties and other organisations that are not formally represented in Parliament will take the opportunity to play their role in the review.

Robin Harper: The minister did not give a specific commitment to including land value tax in the review. Will he do so now?

Tavish Scott: I have no difficulty at all in saying that I very much hope that Mr Ballard will submit his proposed bill to the inquiry. We have discussed previously in Parliament the Greens' proposals for site value taxation, which are an important contribution to the debate. I hope that the Greens accept that their proposals will receive the same scrutiny in the inquiry as those of other parties.

I very much agreed with Mr Monteith's remark about the totality of tax. I hope that he accepts that consideration of issues in their totality should also apply to business taxation. Not so long ago, an important international comparative study of business taxation illustrated clearly that Scotland's businesses are at the same level—if not at a better one—as many other competitor nations. I am sure that Mr Monteith would accept that, if he wants to make a point about the totality of taxation, he must do the same for business taxation.

Mr Monteith: That is an interesting point. In general, I have no difficulty with considering the totality of taxes for businesses. In that respect, does the minister agree that to hand over the

setting of business rates to local government would be akin to putting Saddam Hussein in charge of Porton Down?

Tavish Scott: I would not use such emotive terms, but I will come on to the important point that Mr Monteith has raised.

I know that Mr Mundell is fighting a campaign for a Westminster seat, so I accept the political knock-about of what he said earlier. I also accept his love-in with Christine Grahame and how much they enjoy attacking the Liberal Democrats. All I can say about Christine Grahame is that she lost in 1999 and 2003 and will lose at the next election as well.

Christine Grahame: I lost by only 500 votes.

Tavish Scott: A loss is a loss. I know that it is tough to take and that it really hurts her. I hope that her phone is okay today.

Mr Monteith encouraged me to look at the SNP's proposals on business tax. It was interesting that Mr Ewing did not raise that matter in his opening speech. I expected that he would, given that Mr Swinney made much of the issue at the weekend and has done so since. Irrespective of those issues, the important point is the one that Bristow Muldoon made, which is that the SNP tries to have it both ways. It cannot argue, on the one hand, that it will reduce business taxation in a particular local government area and, on the other hand, that that would have no effect on the delivery of public services. However, I suspect that the SNP will continue to try to argue both.

I turn now to the SNP amendment. It is deeply curious that the SNP attacks others in relation to the council tax rebate system while it argues for a local income tax. It is not possible to argue that the council tax rebate system is an outrage and a disaster and that it is simply unacceptable to give in on the issue while arguing for a local income tax. The council tax rebate system exists because of the council tax. It is bizarre to argue for both sides of the coin at the same time, but that is what the SNP does. However, the SNP really gave the game away when Mr Ewing finished up with a constitutional point about the Scotland Act 1998. That is the game that the SNP is playing. Indeed, I noticed that Ms Cunningham said at the weekend that the debate was about powers being passed back from Westminster. The debate is not about that but about local determination of decisions. I ask members to support the Executive's amendment to that effect.

11:53

Alasdair Morgan (South of Scotland) (SNP): Most speakers in the debate have agreed to some extent that the council tax is unfair. After the

abolition of the late, lamented poll tax, which was introduced by the Conservatives, everybody was so glad that it had gone that they were prepared to accept the unfairness that is inherent in the council tax. In addition, the council tax was much lower in those days and the unfairness did not seem to matter. However, since then, under both Conservative and Labour Administrations, we have had successive inflation-smashing increases in council tax, and people are no longer prepared to accept the in-built unfairness in the tax.

Brian Monteith does not agree with that. He wants to continue to send out the council tax bills that are going up by more than the rate of inflation each year and to print "Look at the totality" on them. Apparently, that would satisfy everybody and make the council tax totally acceptable.

Mr Monteith: Will the member give way?

Alasdair Morgan: I will do so briefly, but this will be the only occasion.

Mr Monteith: I thank Mr Morgan for giving way. He would know, if he looked at the figures, that the Conservatives throughout Scotland have suggested consistently lower council tax levels than the SNP has suggested. Can he tell members—nobody else has done so yet—how revenues would be collected from those who own two properties?

Alasdair Morgan: Revenues would be collected according to people's ability to pay. Clearly, Mr Monteith does not agree with that concept, so there will never be a meeting of minds on that subject. On particular council tax rates, Mr Mundell said that it is all down to the local party that is in power. The facts do not particularly support that. He mentioned Dumfries and Galloway, where the SNP shares in an administration that has had one of the lowest council tax rises—and one of the lowest levels of council tax—in mainland Scotland. I suggest that that is not a particularly bad record.

The truth is that large rises have made the council tax increasingly unacceptable and no amount of slick presentation, in which the hidden bad news leaks out in the weeks following—such as in yesterday's budget speech—will make the council tax acceptable. We are seeing the beginnings of a revolt against that tax and, as responsible politicians, we must begin to address that before the revolt happens, rather than after, as the Tories did with the poll tax.

We have heard interesting speeches during the debate, but I do not know what we can say about Des McNulty's speech. He cantered through it so quickly that it was difficult to keep up. However, he obviously triggered a response in at least two members. Stewart Stevenson called him a cavalier and John Swinburne called him a contender. I must say that Des McNulty appears most unlikely for both those roles. However, you never know.

Tavish Scott said, "We will do these things as we do them"—whatever that means. At least we extracted a promise from him to set up the review before the recess. However, he proceeded to extol the virtues of the council tax. One wonders why Tavish Scott is a member of the Liberal Democrats at all. Their Scottish manifesto said:

"Replace council tax with a local income tax related to ability to pay."

Tavish Scott *rose*—

Alasdair Morgan: I am sorry, but I do not have time to give way.

The Liberal Democrats' manifesto did not say that the council tax should be reviewed but that it should be replaced. Further, the Liberal Democrats' spokesman in the House of Commons, Edward Davey MP, said at a party conference:

"Britain's whole tax system is riddled with unfairness. It's frankly astounding that after six years of a Labour Government, the state takes relatively more in tax from our country's poorest, than it takes from the richest."

What is even more astounding is that, in the Scottish Parliament, the Liberal Democrats actively help the state to do that.

The other Liberal Democrat speaker, Iain Smith, outlined clearly all the problems with the council tax and all the advantages of the local income tax. The problem is that he has no plans for the delivery of the local income tax. He wants to set up a convention to talk about it. That is excellent. I hope that we live long enough to see the results, but I have my doubts.

Iain Smith *rose*—

Alasdair Morgan: Sit down, sit down.

The fact is that since Labour came to power in Scotland we have had a 50 per cent rise in the council tax. Therefore, doing nothing is not an option.

The Executive promised a review, but it has not even set up the review yet. We have now been given a start date. That is, we were given a range of time during which there will be a start date. However, we were not given an end date and we certainly were not given a commitment to implement the review's conclusions. Since 1954, Governments have set up countless reviews of local government taxation and they all reported back in the same way, which was the way that the Government of the day wanted, by kicking the issue into the long grass and doing absolutely nothing about it. That is a classic fudge and Scotland deserves much better than that.

The previous local government tax brought down Mrs Thatcher and we were all glad that that happened. There is a great danger that the current

local government tax will bring down the pathetic apology for an Administration that is the Executive. I look forward to that happening—the sooner, the better.

First Minister's Question Time

11:59

The Presiding Officer (Mr George Reid): We are a little early for First Minister's question time, but most members seem to be in their place.

Cabinet (Meetings)

1. Mr John Swinney (North Tayside) (SNP): To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-732)

The First Minister (Mr Jack McConnell): Mr Swinney will not be surprised to learn that, at the next meeting of the Cabinet, we will discuss progress towards building a better Scotland.

Mr Swinney: I am sure that ensuring the health of the Scottish economy is one of the components of building a better Scotland. The Scotch whisky industry accounts for 40,000 jobs in Scotland, contributes £1.6 billion in tax to the public purse and is worth £2 billion in overseas trade. Yesterday, the Chancellor of the Exchequer imposed on the Scotch whisky industry a measure that has been described by that industry as a catastrophe and a "hammer blow" to Scottish producers. Will the First Minister lead a national campaign to reverse that hammer blow to a flagship industry in Scotland?

The First Minister: Like the industry, we were disappointed at yesterday's announcement, but we continue to have discussions with the Treasury and have received assurances from it that it will amend the original proposals to make it easier for the industry to implement the new scheme to deal with tax fraud in the spirits industry more generally. However, it would be very dangerous for us in Scotland to lead any kind of campaign—national or international—that sought to run down the image of the whisky industry, which is strong today and which will remain strong. Regardless of what steps are taken to tackle tax fraud, the industry needs to be promoted by this Parliament rather than to become involved in some sort of guerrilla action against the Government.

Mr Swinney: All that I am asking the First Minister to do is to speak for Scotland on this occasion and to protect one of our vital national industries. The Government's measures are based entirely on fraud figures from Her Majesty's Customs and Excise. The National Audit Office has investigated those figures and concluded that they are difficult to accept. The industry has proposed a range of measures to combat fraud, but the Government has dismissed those out of hand.

The United States Treasury has abandoned the measures that the Government is proposing, because it did not think that they were successful. The industry, the unions, the Scottish Affairs Committee at Westminster and MSPs from all parties are against the Government's measures. Yesterday, the chairman of the Treasury Committee expressed his dismay and, today, the First Minister has told us that he is disappointed with the proposals. Will the First Minister go a stage further and turn his disappointment into action by leading a national effort to reverse the measures that have been introduced?

The First Minister: No, I will not. I want us to keep the matter in perspective. It was important to make representations, because the industry and those who work in it were concerned. The United Kingdom Government's original proposals would have been too extensive and too prescriptive for the industry. In responding to the representations that have been made, the UK Government has not gone the full way that we asked it to go, but it has moved in the right direction.

It is clear from yesterday's announcement, first, that the Government will assist the industry with the cost of the measures; secondly, that the measures will be much more proportionate to the scale of the problem and easier to implement; and, thirdly, that the Treasury is still open to further discussions about implementation. That was guaranteed yesterday in a letter from John Healey, the Economic Secretary, to Lewis Macdonald, who made the original representations on our behalf.

I reiterate that, even though we made representations and influenced the decision that was made and will continue to seek to influence the decisions that are made on implementation, it is right and proper that we use our national efforts in Scotland to promote the whisky industry and its success. We should not get involved in the sort of battle in which Mr Swinney suggests that we get involved.

Mr Swinney: The battle in which I want the First Minister to get involved is a battle to protect and enhance growth in the Scottish economy. Growth is at the top of the First Minister's agenda.

Yesterday, the Scotch Whisky Association said that the Government's measures would

"have a severe impact on the productivity and compliance costs of the spirits industry."

The Government's £3 million compensation scheme for an industry that contributes £1.6 billion in tax to the UK is viewed as being inadequate to protect the industry from what it is facing.

Two years ago, the chancellor introduced a tax hike on the oil and gas industry and the First Minister did nothing to protect the Scottish jobs

that were lost. A second industry has been hammered by the UK Government: the fishing sector has been halved in size. Now the whisky industry, which supports 40,000 Scottish jobs, is under attack. Three great Scottish industries have been treated with contempt and three times the First Minister has been posted missing. Why, when Scottish jobs are at threat, will he not start fighting for the whisky industry and act by leading a campaign against this hammer blow?

The First Minister: Our job is to promote Scottish jobs and our job as parliamentarians is to deal with serious issues such as tax fraud and to make representations on how those issues should be dealt with.

Since Christmas, Mr Swinney has twice tried in the Scottish Parliament to promote illegal activity: once in relation to fishing and again in relation to genetically modified crops. He cannot have a consistent position that advocates, in relation to the issue that we are discussing, ignoring the fact that tax fraud is taking place. Tax fraud is taking place and needs to be dealt with.

We disagreed with the Government's original proposals and the Government has moved some way towards our position and the position of the industry. The job of the industry and the British Government now is to ensure that the proposals are implemented in a way that is the most effective and that will have the least impact on productivity and competitiveness. However, what will have most impact on productivity and competitiveness is the investment that the Scottish industry can make in its equipment and staff. Yesterday's budget encourages the Scottish industry to make that investment by ensuring that we have a strong economy.

The Scottish whisky industry will benefit from the successful promotion of Scotland and the promotion of the industry. That is what we will continue to do. It will certainly not benefit from any attempt to cover up or ignore the fact that there is tax fraud in the industry and that that fraud has to be dealt with.

Mr Swinney: The Scotch whisky industry put proposals to the Government that the Government threw out, choosing instead to introduce the measures that we are discussing. Everyone in Westminster who has voiced an opinion on the matter, including the chairman of the Scottish Affairs Committee, says that the measures are bad for the industry. I do not know who the First Minister has been speaking to in the industry, but the information that I have seen, which was published by the Scotch whisky industry, says that the measures will have

"a severe impact on the productivity and compliance costs of the spirits industry".

How can the First Minister square his stated determination to grow the Scottish economy with his silence when the United Kingdom Government undermines the strength of one of our vital national industries?

The First Minister: It is rubbish to suggest that we have stayed silent and it would be right to suggest that we have made representations and that they had an impact on the final decision. It would also be right to put this question in its proper context. Yesterday, a budget was announced that recognised that, throughout the UK, including in Scotland, growth has been more sustainably high than it has been for 200 years. Yesterday, a budget was announced that allows us to continue the progress that has been made over recent years—including in the Scotch whisky industry—in research and development, innovation, commercialisation and all the things that are needed to grow the Scottish economy.

Our job in the Scottish Parliament is to support the industry in a positive sense, to promote it internationally and in Scotland and to ensure that the industry supplies not only 40,000 jobs, but more as it grows in years to come.

Prime Minister (Meetings)

2. David McLetchie (Edinburgh Pentlands) (Con): To ask the First Minister when he next plans to meet the Prime Minister and what issues he intends to raise. (S2F-741)

The First Minister (Mr Jack McConnell): We have no plans to meet again in the immediate future.

David McLetchie: When the First Minister and Prime Minister get around to meeting, perhaps they will reflect on the chancellor's budget statement, in which, I was interested to note, Mr Brown announced proposals to reduce the size of Government bureaucracy following the efficiency review carried out by Sir Peter Gershon. It is always gratifying to see one sinner repent, but the announcement raises the question whether the First Minister intends to be equally contrite. Accordingly, will the First Minister follow the chancellor's lead and instigate a Gershon-type review of staffing levels in the areas for which he is responsible—the core civil service, Executive agencies and other public bodies—to cut waste and to ensure that Scottish taxpayers receive value for money?

The First Minister: Yes. We have already done so and look forward to discussing those issues over the summer.

David McLetchie: I am not convinced that any review is under way, by reference to the action that has been taken or announced to date. I was interested to see that Mr Darling, the Secretary of

State for Scotland, was quoted in a newspaper this morning as saying that the issue of bureaucracy was, supposedly, a priority for the First Minister. Mr Darling is obviously developing a nice line in irony, because we all know that the First Minister's priorities are usually determined by the last person to whom he spoke.

The one thing that the Executive has not had the brass neck to do is to claim that reducing bureaucracy is a priority today. The record speaks for itself. The cost of running government in Scotland has increased by £134 million since devolution and the size of the core civil service has increased by 28 per cent. Does not that prove that there is enormous scope for a war on waste in Scotland? Is that, as the secretary of state said, a priority for the First Minister's Administration? If so, where does it lie in relation to all the other top priorities and first priorities that we continually hear about?

The First Minister: Mr McLetchie could have been a bit more economical with the length of his question. He is clearly struggling to find a line of attack.

The Executive has an excellent record of delivering new efficiencies in the work of the core civil service. We intend to improve on that and develop it in the review that will take place this year.

The Executive established an e-procurement system four years ago, when I was Minister for Finance. Public bodies are committed to that system, which is more significant than any other public sector e-procurement system not just in the United Kingdom, but in the world. There has been a 20 per cent reduction in the cost of facilities management in the Executive and, yes, we will target other areas, too.

What Mr McLetchie does not mention to anyone who is listening at the moment is that much of that additional investment in national public services includes investment in education staff, health staff, and staff to deliver the increased transport budget that is necessary to make up for the wreckage of the Tory years. Those new investments are important for Scotland. We in the Scottish Executive will cut administration and back-room costs but, unlike the Tories, we will also invest in vital public services.

David McLetchie: How can the First Minister tell us that he is cutting core administration when the number of people employed in the Scottish Executive civil service has increased by more than 900—28 per cent—in just four years? The record belies the First Minister's rhetoric. What is he going to do about it?

The First Minister: Over that period, there has been a 50 per cent increase—or something like

that—in the size of the Scottish health budget, which is administered by those people. Indeed, in many areas, the national health service is run by those members of staff.

Mr McLetchie might want to portray the issue as being all about bowler-hatted civil servants working behind the scenes writing minutes and drafting letters, but these members of staff are not doing that. There have been increases in spending on education, health and transport and there has been improvement in the delivery of vital public services. The increases in spending on the Scottish Court Service have been widely welcomed by members of all parties who wanted more people ensuring that crime is being properly tackled in the community. Those members of staff are benefiting public services; behind the scenes, they are cutting administration and the cost of procurement and facilities management and they are making sure that public money—taxpayers' money—is being better spent.

Mr Kenneth Macintosh (Eastwood) (Lab): Is the First Minister aware of the announcement yesterday afternoon of plans to close the Nestlé factory in Barrhead in my constituency, with the loss of more than 200 jobs? I am sure that he will appreciate the impact that such a closure could have on the local community. Will he assure the factory workers and the people of Barrhead that he and the Deputy First Minister and Minister for Enterprise and Lifelong Learning will support any constructive plans of action that might be put in place by East Renfrewshire Council in conjunction with the local enterprise company, Scottish Enterprise Renfrewshire, following talks with the Union of Shop, Distributive and Allied Workers, the GMB and the company?

The First Minister: It is always disappointing when such announcements are made, particularly in a week when it was announced that unemployment in Scotland has dropped yet again and that employment levels in Scotland have increased. That should be of some reassurance to those who might be affected by the decision.

One of our recent successes is the system that we put in place under which, when job losses become inevitable in a particular location, we can help to direct people into new jobs or into training and skills development that will allow them to access new jobs. That system has been a success in other parts of Scotland and I am sure that it will be a success in Kenny Macintosh's area. We guarantee the provision of that service to ensure that his constituents and others who are affected will receive the best possible advice.

Cabinet (Priorities)

3. Tommy Sheridan (Glasgow) (SSP): To ask the First Minister what the top priority is for the Scottish Executive's Cabinet. (S2F-748)

The First Minister (Mr Jack McConnell): Our top priority is to grow the Scottish economy. In addition, tackling crime and antisocial behaviour is top of our immediate agenda. In Scotland, we need more wealth, more jobs and stronger communities if we are to deliver a sustainable further reduction in poverty and deprivation.

Tommy Sheridan: It is unfortunate that the First Minister did not mention the 4,000 predominantly women workers who have now been on all-out strike action for three weeks in pursuit of a reasonable national pay claim. Scotland's nursery nurses are a group of workers who are dedicated to delivering the national child care education strategy.

Does the First Minister stick by his words last week, when he said that he would not intervene in the dispute "at this stage"? If he will not intervene at this stage, will he tell Scotland's nursery nurses at what stage he will intervene to support their reasonable claim? Does he agree that it is necessary to have a national independent review of pay and conditions for Scotland's nursery nurses?

The First Minister: I certainly believe that, at the right time, there will be a case for a national review of the overall situation in the pre-five sector. The sector is well served not only by nursery nurses, but by nursery teachers and other workers who care for children at that important stage. I do not believe that such a review could begin or be conducted in the atmosphere of an all-out strike, so it is vital that the local authorities and the trade unions get back round the table. It is ridiculous that the industrial action has gone on for this period of time without face-to-face negotiations taking place. I strongly urge the councils and the trade unions to put aside their difference for a moment and to sit down to discuss the matter. They should put the children first—and the parents of the children who attend Scotland's nurseries—and ensure that the dispute is brought to an end at the soonest possible date.

Tommy Sheridan: The problem with the First Minister's fine words is that they amount only to rhetoric. New Labour runs the Convention of Scottish Local Authorities, which is the employers organisation. The First Minister has the power to intervene in what he has called a ridiculous dispute, but it appears that he wishes to be the Pontius Pilate of Scottish politics.

If the First Minister will not intervene in the dispute, will he at least consider the appeal that I made to him last Friday, when I asked him to intervene by telephone, e-mail or fax on behalf of three young men who are now near to death because their fear being returned to a country where their lives would be in danger?

The Presiding Officer: Mr Sheridan, that is a separate issue.

Tommy Sheridan: Will the First Minister call for a review by his Westminster colleague of their asylum application?

The Presiding Officer: Mr Sheridan, the question to the First Minister was about nursery nurses.

Tommy Sheridan: My question was actually about intervention.

The First Minister: The question was about nursery nurses, but Mr Sheridan showed how concerned he is for them by suddenly diverting to another subject. If he wants to claim that nursery nurses are the number 1 priority in Scotland today, he should be consistent by sticking with that and putting his case. He should then be responsible in the way in which he records the views that others have expressed.

I believe that the right intervention for the First Minister and for the Government is to ask both sides of the dispute to get back round the table and negotiate like adults. They should talk to each other to resolve the dispute and put the children and families involved first.

Health and Well-being

4. Paul Martin (Glasgow Springburn) (Lab):

To ask the First Minister what action can be taken to address the issues highlighted in "Health and Well-being Profiles for each Scottish Parliamentary Constituency, 2004". (S2F-742)

The First Minister (Mr Jack McConnell): We are tackling poverty and deprivation and we are helping Scots to adapt to a healthier lifestyle. We are providing opportunities for all people of working age to acquire skills that will help them into jobs. We have increased our funding for measures that are targeted at helping people to stop smoking. We are also improving access to healthier food and we are promoting more physical activity in our schools and communities. For example, the groundbreaking general practitioner referral scheme in Glasgow has had an impact, in particular on middle-aged men.

Paul Martin: Is the First Minister aware that, in Glasgow Springburn, the proportion of people who leave school with no qualifications is 260 per cent above the Scottish average? I am sure that, like me, the First Minister will be concerned that people who live in Springburn face that challenge, along with the other challenges that are mentioned in the health and well-being profiles. Will he consider leading a summit of all the stakeholders in Glasgow to ensure that we deal with the unacceptable statistics that face Glasgow and Glasgow Springburn in particular?

The First Minister: I am certainly prepared to consider any discussions that would be helpful in relation to that. Focusing on that significant issue is absolutely vital for Scotland's well-being, not just for the well-being of the people of Glasgow. A comprehensive strategy is required to tackle a problem that has many different elements. That involves us tackling the issue of eating habits, healthy eating and access to healthy food and the issue of exercise, leisure, access to facilities and opportunities to improve personal health. It involves improving educational opportunities, including, in Glasgow, the biggest school-building programme in any city in western Europe, which is improving the educational opportunities at school. It also involves improving access to colleges and universities, which is at a higher level than it has ever been in Glasgow or the rest of Scotland, to ensure that skills can be developed post-16. In those and many other areas, a concerted approach to tackling poverty and deprivation in Glasgow is vital for Scotland and it is starting to deliver results.

Shona Robison (Dundee East) (SNP): The First Minister and his Executive are always keen to claim credit for good news. Will he now have the courage to accept some responsibility for the fact that the gap in life expectancy between the richest and poorest people has doubled in 10 years, leading to the low life expectancy figures in Paul Martin's constituency and others? Does not that prove that the policies of the Executive and of Mr McConnell's party's Government at Westminster have failed to tackle poverty and deprivation in Scotland? What change in policy direction can we now expect to address that failure?

The First Minister: I know that the Scottish nationalists like to work in alliance with the Conservatives from time to time, but Shona Robison is trying to use statistics from the Conservative years of the 1990s, when the main fault of government was to deny the connection between ill health and poverty and deprivation. One of the absolute tragedies of the 1980s and 1990s in this country was the denial of community and the denial of a link between poverty and other social problems.

Tackling those issues, as we have done not just with the Labour Government at Westminster but through the partnership Executive here, has not only put growth in the economy, jobs and education at the top of our agenda, but allowed us to tackle the state of our communities and the quality of our housing and to make improvements in personal health, in the health service and in many other areas. Those are the challenges and, by 2001, our actions delivered, as even the figures that Shona Robison referred to show, an improvement in life expectancy in Scotland. All the actions that we have taken since 2001 to link

action against poverty with action on health improvement will have made, and will continue to make, a considerable difference.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Does the First Minister agree that one message that comes through loud and clear from the constituency profiles is the real link between smoking and poor health? Does he agree that drastic action needs to be taken to encourage people to stop smoking?

The First Minister: I have absolutely no doubt that there is a range of important issues associated with improving life expectancy, including healthier eating, more exercise, less binge drinking and less smoking. The number of people in Scotland who die completely unnecessarily because they have smoked throughout their adult lives, and sometimes throughout their younger lives, is unacceptable in a modern European society. Our actions so far have made a considerable difference in that area, but we are serious about our current consultation on how we can be effective in ensuring that there are more smoke-free areas in Scotland for people to enjoy and in helping those who currently smoke to get rid of that habit.

White-fish Industry

5. Stewart Stevenson (Banff and Buchan) (SNP): To ask the First Minister when changes in the regulation of the white-fish industry will be announced. (S2F-736)

The First Minister (Mr Jack McConnell): I expect to see a formal Commission proposal amending December's total allowable catch and quota regulations later this month. It will give effect to the delayed agreement with Norway on certain quotas, on the haddock management changes that we have requested and on possible changes to the effort control regime.

Stewart Stevenson: Is the First Minister aware that many fishermen with quotas in the main haddock grounds have, because of the current bizarre system, exhausted those quotas in the three months that have passed, in the face of a 30-year high in the stocks of haddock? I welcome the news that Allan Wilson will travel to Europe to engage directly on our behalf in an attempt to change the rules. However, what happens until we get a revision? Currently, men are tied up against the wall. Do those who are going to sea have to keep dumping good haddock and scarce cod, which the regulations were meant to protect? Fishermen are forced to dump their future over the side. When will we hear, what will we hear and what happens meantime?

The First Minister: What members will hear from us is that we are making a continued effort, at

the European level and elsewhere, to secure the changes that are important to improving not only the viability and sustainability of the individual fishing boats in Scotland, but the sustainability of stocks in the North sea.

The changes that we have sought to secure—with good co-operation from the industry, I have to say—are important for the coming year and will have an impact, if we can get agreement. However, the other side of the matter is the responsibility that is on the individual fishing boats. It is important that people in the industry take the regime seriously and, for example, use the permits that are available. There must be a two-pronged effort. First, the Government must make the effort to secure the changes that are required for the coming year and, secondly, those in the industry must take their responsibilities seriously, use the permits and ensure that they are not put in the position that Stewart Stevenson has outlined.

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Does the First Minister accept the findings of the Royal Society of Edinburgh's inquiry into the scientific regulation of the white-fish industry? Ministers have always claimed that cuts in quotas are imposed only after the most rigorous scientific scrutiny. Will the First Minister accept that the methods used by the International Council for the Exploration of the Sea as a means of calculating cod stocks is "subject to error", as the Royal Society of Edinburgh scientists claim, and will he ensure that the views of the industry as well as those of fishery scientists are taken into account in future stock analysis?

The First Minister: The points that the Royal Society of Edinburgh made were very interesting. We have said that we support the general thrust and direction of what was stated in the report. I hope that the Conservatives in the Parliament will also listen to what was said in that report, which makes it clear that there is a need for a common fisheries policy in Europe and that that common fisheries policy should have the active engagement of Scotland. I hope that Mr Brocklebank will listen to his good advice to me and take it himself.

Security Review

6. Iain Smith (North East Fife) (LD): To ask the First Minister whether a review of security measures on Scottish public transport and other possible terrorist targets will be undertaken. (S2F-752)

The First Minister (Mr Jack McConnell): It is still the case that there is no specific intelligence of a threat to Scotland and no specific threats to United Kingdom travel. However, we are working with the UK Government, the police and the transport industry to keep security measures

under review, including arrangements in Scotland. The terrible events in Madrid last week reinforce the need for vigilance by the police, by public transport operators and, crucially, by the travelling public.

Iain Smith: I thank the First Minister for those assurances. Does he agree that any review of security that may have to be carried out has to be proportionate to the threat and must take account of the need not to undermine the liberties and freedoms that it is intended to protect?

The First Minister: Clearly, in all those efforts, we should seek to defend those liberties and freedoms, but also to ensure that as a country—both Scotland and the United Kingdom—we are safe. The chief constable of Tayside police made it clear yesterday that we in Scotland must not be complacent about the threat. I have made that position clear before. We may not be a specific target at the moment, but there can be no doubt in the minds of any of us after the events of last Thursday that Scotland, like anywhere else, could be a target at some stage. Therefore, preparation, contingency planning and vigilance by all concerned are necessary. A national effort to deal with terrorists, at home or abroad, is vital. I hope that the Parliament will continue to support those efforts.

Margo MacDonald (Lothians) (Ind): With reference to Farouk Haidari, Farnborz Gravindk and Mokhtar Haydari—the three men who are currently on hunger strike in Glasgow—I appreciate that there is a grave difference between their situation and the question of security, but I am sure that members of this Parliament will agree with me—

The Presiding Officer: You are off the question, Ms MacDonald. Come back to the question.

Margo MacDonald: I am on the question.

The Presiding Officer: I will decide that, Ms MacDonald.

Margo MacDonald: Should anything horrendous happen in Glasgow, we will become more of a target for the twisted minds who wrought havoc in Madrid. I would welcome the First Minister's comments on what we can do in Scotland to promote it as a welcoming place.

The First Minister: As Margo MacDonald knows, I am keen to promote Scotland as a welcoming country. It is right and proper that in Scotland we have taken the attitude that we have towards the successful integration into local communities in Glasgow and elsewhere of asylum seekers and people who have achieved refugee status and it is right and proper that in recent times we have made efforts to promote Scotland as a

location that people from throughout the world can make their home. However, in any sensible system, we also need a bottom line. Those who have been through the process, who have had all the appeals, who have had their cases heard at all levels and who have been rejected as not genuine asylum seekers need to accept that decision and recognise that they have to return.

For those who claim concern for the individuals involved—and I do not include Margo MacDonald in this—not to call on them to end their hunger strike and to look after their lives and seek other assistance is wrong. The hunger strike should end. The most damaging thing that could happen would be for it to continue.

The Presiding Officer: I inform the chamber that, when I get notice in advance of a supplementary question, I expect members to stick to that supplementary question and not to change it when they are called.

12:31

Meeting suspended until 14:00.

14:00

On resuming—

Question Time

SCOTTISH EXECUTIVE

Education, Tourism, Culture and Sport

Tourism (Cunninghame South)

1. Irene Oldfather (Cunninghame South) (Lab): To ask the Scottish Executive what action it is taking to encourage tourism in Cunninghame South. (S2O-1583)

The Minister for Tourism, Culture and Sport (Mr Frank McAveety): VisitScotland and Ayrshire and Arran Tourist Board work hard to encourage tourism in Cunninghame South and in Ayrshire generally. Their endeavours are assisted by the rising number of direct flights to Prestwick, which have been stimulated by the Executive's commitment to the route development fund.

Irene Oldfather: Will the minister join me in welcoming the new Prestwick to Rome service, which is supported by the route development fund? Does he agree that we need to do more in destination towns and airports to promote and market the attractions of Ayrshire and the rest of Scotland? Will he consider working with local partners and agencies on how we can ensure that such new routes attract visitors to Ayrshire and provide opportunities for Scots to go abroad?

Mr McAveety: I confirm that we want to maximise the opportunity of the new flights that are arriving in Prestwick to ensure that south Scotland benefits from them. In the relationships between the partners—local authorities, the local tourist board and the local enterprise agency—we are exploring ways in which to maximise that opportunity.

Last week's announcement on the Executive's general response to tourism described substantial new money for marketing. I hope that some of that is being used to develop ideas that will benefit south Scotland and the Prestwick direct-flight routes.

David Mundell (South of Scotland) (Con): How will the new tourism hub that covers Cunninghame South and the other hubs throughout Scotland that the minister announced last week be constituted? Who will be hub members? Will hubs be answerable to local tourism businesses?

Mr McAveety: We are in the early stages of

developing the concept that we described last week. To give specific details would be premature—

Mr John Swinney (North Tayside) (SNP): Will that happen soon?

David Mundell: In due course?

Mr McAveety: I did not use the words “soon”, “shortly” or “imminently”. This week, VisitScotland met several partners, including the area tourist boards. Area tourist boards throughout Scotland have welcomed the concept of an integrated strategy, as they have welcomed additional marketing resources and the commitment to skills and training. I hope that the Conservatives support that, too.

Schools (Non-traditional Sports)

2. Christine May (Central Fife) (Lab): To ask the Scottish Executive what support it is giving to non-traditional sports in schools in order to motivate and encourage children to become more physically active. (S2O-1628)

The Minister for Education and Young People (Peter Peacock): The five-to-14 national guidelines on expressive arts encourage schools to provide varied and stimulating experiences in physical education for pupils. Education authorities have the flexibility to decide what those experiences should be.

Christine May: Does the minister agree that not every young person wants to participate in major sports, such as football? Will he join me in welcoming Fife Council’s recent agreement to allow an empty former steelworks in the Kirkland area of Methil in my constituency to be used as an indoor off-road motorbiking facility? Does he accept that sports such as off-road biking are becoming increasingly popular? If they do not qualify for support under the current scheme, will he examine what help he can give to such more minority sports?

Peter Peacock: Christine Grahame—*[Interruption.]* Christine May, I should say—makes an important point. I give my humble apologies for insulting the member in such a way.

The Deputy Presiding Officer (Murray Tosh): Be careful.

Peter Peacock: I hope that I can recover from that by giving the right answer.

Christine May made a good point about the importance of finding activities that engage young people in what they are interested in, that capture their enthusiasms and which therefore improve their motivation in school. We know that young people’s attainment levels will improve if we can do that. That is why the PE review, which I expect

to report to me very soon, will examine alternative sports—the minority sports to which the member referred—that we can include in school activity. For example, young people participate in their leisure time in the off-road biking that Christine May talked about and in mountain biking, skiing, yoga, martial arts and a variety of other activities. Those are the activities in which young people want to engage. If we can bring those activities into schools, we can help young people’s motivation and attainment. I would be happy to consider the member’s proposal in the future.

Fiona Hyslop (Lothians) (SNP): Will the minister share with members the content of his letter today to *The Scotsman*, which stated that it was “unfounded” speculation that the Government intended to provide two hours of compulsory PE at primary school level?

Peter Peacock: The purpose of today’s letter to *The Scotsman* was to make it clear that the report that it produced last week was without foundation. I was grateful to *The Scotsman* for its very positive coverage, which I am not accustomed to receiving. It was particularly gratifying that it gave me such positive coverage in respect of a meeting that I did not attend. The important point was that I wanted simply to set the record straight: I did not make the comments that were reported, because I was not at the meeting that I was reported to have attended. That said, I made it clear in the letter that I want to make further progress on PE, which I regard as being extremely important for the reasons that I touched on in response to Christine May’s question. I want to ensure that in future more of the extra teachers that the Executive is providing can go into PE. We are examining the implications of that for the training of PE teachers; we want to move forward.

I will reserve judgment on the specific issue of two hours of compulsory PE at primary school level, because I expect to receive advice on that in the PE review—it would be wrong of me to pre-empt that advice. Once I have seen it, I will give consideration to the matter and report to Parliament in due course.

Schools (Standard Grade Examinations)

3. Bill Butler (Glasgow Anniesland) (Lab): To ask the Scottish Executive what its position is in respect of young people sitting standard grade exams in secondary 3 rather than S4. (S2O-1626)

The Minister for Education and Young People (Peter Peacock): Under current regulations schools can present students for standard grade exams in S3 if they judge that to be in the students’ best interests. We are currently consulting on whether there should be additional flexibility through revised guidelines.

Bill Butler: Will the minister acknowledge that, although such an approach benefits some school students, it is possible that it creates disadvantages for others? I am thinking especially of school students in credit/general classes who are currently performing at general level and would be deprived of the positive influence of their peers who are performing at credit level. Will the minister comment on that? Is the Executive considering compulsory application of the approach that I described?

Peter Peacock: Bill Butler makes a very good point. There is no intention to make that approach compulsory. We seek to give additional flexibilities and freedoms to schools, so that individuals can, when it is appropriate in their circumstances, advance more rapidly than would otherwise have been the case. The point that Bill Butler makes about the credit/general mix is valid. We have no intention of forcing people into situations that their teacher or school judges to be unsuitable.

Recently I visited Keith Grammar School which—as part of an Executive-funded project—is experimenting with having young people make choices earlier in their school life, in S1, about what they will study in S2. It is being discovered that young people are much more focused on the work in S2 as a consequence of their making choices earlier. It seems that they are being prepared better for sitting standard grade, perhaps in S3, which has the obvious potential benefit of creating more space and time in which they can study at higher grade level, which would yield better-quality highers results in the future. That is why we are consulting on age and stage regulations, which prescribe how young people can be presented for exams. If we can create more flexibility and get the benefits at which I have hinted, we will consider seriously taking the approach that I have outlined. However, we await the outcome of the consultation.

Lord James Douglas-Hamilton (Lothians) (Con): I welcome the minister's commitment to increasing flexibility, but will he encourage more young people to stay on at school for another year before they go on to post-school education or university?

Peter Peacock: Staying-on rates in schools have increased over recent years. Young people are voting with their feet and are trying to stay in the school system. We are providing extra support for that; for example, through educational maintenance allowances, especially for young people who might otherwise be forced out of school because of economic circumstances, so that they can stay in school and get the benefits of school education. We want to ensure that there are pathways throughout school and at certain points in school life, so that young people can

move into further education and, at the appropriate time, into higher education. We want to ensure that every young person gets the benefit of the whole system of education.

Shinty

4. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive what steps are being taken to promote shinty. (S2O-1608)

The Minister for Tourism, Culture and Sport (Mr Frank McAveety): As the governing body for the sport, the Camanachd Association is responsible for promoting shinty. One of the targets in the association's development plan is to promote shinty and its cultural history to as broad an audience as possible.

Fergus Ewing: I know that the Camanachd Association welcomes the support—albeit modest—that it receives from sportscotland. Is the minister aware of the high cost of shinty sticks—the caman—which come in at £27 to £29 a time?

Is the minister also aware that the sticks frequently break, either when they come into contact with other sticks or, occasionally, with human flesh? Given the glaring and mystifying omission from the Chancellor of the Exchequer's budget statement yesterday of a reduction of value added tax on shinty sticks, does the minister agree that sportscotland can do a lot more to ensure that young people do not give up the sport because their parents cannot afford the gear?

Mr McAveety: I anticipated that question leading to one about antisocial behaviour in the Highlands.

We can examine the details of the budget, the implications of which are sometimes found two or three days after it is announced. We believe in the value of shinty, not just in the Highlands, but as a Scottish cultural icon that should be supported. That is why we have given revenue support in the form of grant to the Camanachd Association for its development plan. The sport has already received over £750,000 in capital and for individual players. If participants find that they cannot meet the financial demands of the sport, perhaps they can find imaginative ways to resolve that problem through partnership with local authorities and other partners.

George Lyon (Argyll and Bute) (LD): One of the most important ways of continuing to develop shinty is to ensure that it is played in schools throughout the Highlands and Islands and further afield. Will the minister reveal the support that he is giving to ensure that there are shinty development officers in areas where shinty is played, to encourage children to take up the sport early in schools and to ensure that it is developed as part of schools' sports activities?

Mr McAveety: We are already working on such developments with the Camanachd Association. We want to ensure that, where there is a choice of sports in the school curriculum through the active schools programme, shinty will be considered and supported. We recognise that involving young people will be to the long-term benefit of the sport, so we need to address the issue of younger people's participation in shinty clubs. Participation is also a problem in other sports. We are happy to look at imaginative ways in which to address the points that have been raised. I will take them up in more detail with sportscotland to see what is being done and what more can be done in the next few years.

Tourism (Environment Quality)

5. Mr Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Executive to what extent it considers the quality of the environment to be important to tourism. (S2O-1651)

The Minister for Tourism, Culture and Sport (Mr Frank McAveety): We consider the quality of the environment to be a critical part of our tourism product. Research revealed this week that people—particularly international tourists—view Scotland's unspoiled landscape and scenery as being a critical element of its attraction. Around 90 per cent of our visitors highlight Scotland's scenery and unspoiled natural environment as one of their main reasons for coming here. We want more of them to experience Scotland's rural areas as part of their visit to this country.

Mr Ruskell: Do the importance of tourism to the economic and social well-being of Scotland and the importance of the clean and green image that underpins Scottish tourism imply that care for the environment is fundamental to supporting a healthy Scottish economy? In addition to increasing funding for marketing Scotland as a tourist destination, should we also invest—for the sake of tourism—in protecting and enhancing the environment as an economic resource as well as for the sake of biodiversity?

Mr McAveety: We have put in place through the partnership agreement a series of initiatives to develop sustainable tourism and eco-tourism. I participated recently in a conference that dealt specifically with those issues so that I could find more imaginative ways in which we can give support.

More important, a number of organisations and buildings, such as Historic Scotland buildings, have received substantial awards through the green tourism business scheme. We have made a commitment to triple the number of businesses and institutions that are recognised by that scheme. We can collectively do much more to ensure that we build up one of the most attractive

features of Scotland through the development of sustainable tourism. That is why I am working in partnership with Jim Wallace, the Minister for Enterprise and Lifelong Learning, with Allan Wilson and with the Scottish Executive Environment and Rural Affairs Department to develop and maximise opportunities through Scotland's new national parks.

Alex Neil (Central Scotland) (SNP): By way of encouraging tourism in North Lanarkshire, will the minister encourage his colleagues in the Executive, particularly the First Minister, to turn down the planning application from Eden Waste Recycling Ltd for a new landfill site at Greengairs near Airdrie? The First Minister promised the people of Greengairs two years ago that there would be no need for further landfill sites.

The Deputy Presiding Officer: I question the relevance of that question and would prefer to move on to the next question.

Enterprise in Schools

6. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Executive how many schools will have access to enterprise in education materials. (S2O-1661)

The Deputy Minister for Education and Young People (Euan Robson): All Scottish primary schools already have access to enterprise in education materials. As part of our enterprise in education strategy, as outlined in "Determined to Succeed: A Review of Enterprise in Education", all secondary schools will have access to enterprise in education materials from April 2004.

Jeremy Purvis: I warmly welcome the minister's reply. Will he confirm that the budget for the enterprise in education initiative will double over the next two years, as the budget documents outline? That is also very welcome.

Does the minister agree that the design and print company of students at Selkirk High School represents an excellent example of an initiative that puts enterprise on the schools agenda? Does he agree that to capitalise on such activity by encouraging local and national business leaders to go into schools and relate to students would be an extremely positive aid to the success of the enterprise in education initiative?

Euan Robson: I have heard of the initiative at Selkirk High School, although I have not had the advantage of seeing it, as the member has. It represents an example of the exciting developments that might take place as a result of the initiative.

Connections between local industries and schools are immensely important for all sorts of reasons. In the financial years from 2003-04 to

2005-06, £42 million will be put into the determined to succeed initiative.

Johann Lamont (Glasgow Pollok) (Lab): Is the minister aware of the important work that the Scottish young co-operators network is doing to raise awareness of social enterprise in schools in Scotland? Will he ensure that enterprise education for young people throughout Scotland includes education on co-operative enterprise?

Euan Robson: The member makes an extremely important point and I would be happy to take up the matter with her and to discuss it in some detail. I am sure that we can develop the link that she suggests; I look forward to discussing the matter with her.

Ratho Adventure Centre

7. Margaret Smith (Edinburgh West) (LD): To ask the Scottish Executive what discussions it has had with regard to the future of the adventure centre at Ratho. (S2O-1580)

The Minister for Tourism, Culture and Sport (Mr Frank McAveety): The Scottish Executive has no direct locus in that issue, but I understand that the receivers will be looking for a buyer and that the centre will continue to trade meanwhile. Sportscotland, which made a lottery award of nearly £1.2 million for the centre, will work with all the parties to assist in whatever way it can.

Margaret Smith: Obviously we hope that a new owner will soon be found. Will the minister do all that he can to help to secure the jobs of the staff at the centre? Given that the centre is the largest indoor climbing centre in Europe, will he also ensure that that state-of-the-art facility is publicised by VisitScotland within the United Kingdom and internationally, in order to maximise the number of adventure tourists who come to Scotland?

Mr McAveety: I share the member's concern about the potential loss of a tremendous facility and I put on record our support, which we will offer where we can to try to ensure that there is a way forward on the issue. I know that the local authority, which is a significant player in relation to a number of issues around the centre's future, has already met a number of individuals to discuss a management buyout. I hope that many of the issues that the member mentioned can be addressed through such a buyout. I assure the member that sportscotland is open-minded about trying to sustain the centre as a climbing centre and I will certainly mention to VisitScotland the points that she made about potential marketing. However, other practical issues have impacted dramatically on the centre and we would first like to explore and resolve some of them before we address the longer-term marketing strategy that

will be needed if the management buyout is successful.

Olympic Games 2012

8. Dennis Canavan (Falkirk West) (Ind): To ask the Scottish Executive what analysis it has made in respect of the impact on Scottish sport of London's bid for the Olympic games in 2012. (S2O-1634)

The Minister for Tourism, Culture and Sport (Mr Frank McAveety): We believe that staging the Olympic games in London in 2012 would give a major boost to sport and sportspeople in Scotland.

Dennis Canavan: I agree that a successful bid would have potential benefits for Scottish sport, but is the minister aware of concern that sports funding from the national lottery is being top-sliced to finance the Olympic bid, leaving less available for sportscotland to distribute to sports projects in Scotland? Will the minister make appropriate representations on the matter at United Kingdom level, to ensure that the London Olympic bid does not jeopardise sports projects in Scotland and, indeed, in other parts of the UK?

Mr McAveety: Representatives of sportscotland have already had discussions with representatives of the UK Department for Culture, Media and Sport. Scotland will have a number of opportunities should the Olympic bid be successful—we are exploring options to maximise those opportunities. We will also examine the impact of lottery income on sports organisations in Scotland. We are working actively on some of those issues and we hope to report to Parliament soon on our deliberations and discussions.

Finance and Communities

Council Tax Rebates (Second Homes)

1. Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): To ask the Scottish Executive when it will announce its position on council tax rebate on second homes. (S2O-1577)

The Minister for Finance and Public Services (Mr Andy Kerr): We expect to make an announcement fairly soon. However, as I have said before, the issue is fairly complex and we want to ensure that all points that are raised are dealt with properly.

Mr Stone: I spoke only this week to the convener of the Highland Council, Alison Magee. She said that it would be best if this revenue stream, which could provide homes for the needy, could be genuinely additional to revenues that Scottish local authorities currently receive. Does the minister agree that a suitable mechanism should be considered for that?

Mr Kerr: When I spoke at the recent conference of the Convention of Scottish Local Authorities, I also received representations from the convener of the Highland Council. This may not be a good answer, but our decision on the issue will have implications for the rest of local government finance. I must ensure that all such matters are considered. We have not yet made up our minds on the possible impacts, but we are seeking to resolve the issue as quickly as possible.

Richard Lochhead (North East Scotland) (SNP): If the council rebate on second homes were scrapped, more revenue might be raised but very little would be done to address the shortage of affordable housing in rural areas. If people can afford to buy a second home, they can afford to pay a second council tax.

Does the minister agree that the chancellor's budget will in a number of ways make life even more difficult for first-time buyers in Scotland?

Mr Kerr: The chancellor's response to the Barker review was extremely positive in respect of the need for affordable housing. My colleague Margaret Curran may answer questions on such matters later; she will sort Mr Lochhead out.

I am not sure how people with second homes would be affected under the SNP's badly prepared proposals. Would they pay 16 per cent extra tax? They probably would.

Des McNulty (Clydebank and Milngavie) (Lab): When local income tax is considered in the review of local government finance, will the minister ensure that the issue of people with second homes is taken into account? There is confusion about whether people should pay income tax in different parts of Scotland and about whether they would have a choice about where they pay local income tax.

Mr Kerr: Again, Mr McNulty has raised some of the issues that the review will have to consider. I look forward to that review taking place soon.

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Does the minister accept that although people who have holiday homes bring money into areas seasonally, they place very few burdens on communities? Does he accept that such people make little use of local health and education provision, which are the services on which the vast bulk of councils' money is spent?

Mr Kerr: We are a listening Executive and, quite correctly, I am receiving representations from local authorities and others on the matter. We want to listen. However, we have to implement measures practically. Our difficulty is in assessing the impact that measures will have on the wider local government settlement. We will not come to the chamber with ill-thought-out proposals—I leave

that to others. The Executive treats such matters very seriously.

Voter Education

2. Eleanor Scott (Highlands and Islands) (Green): To ask the Scottish Executive whether it will report on the voter education campaign for the 2003 local government elections. (S2O-1642)

The Minister for Finance and Public Services (Mr Andy Kerr): We asked the Electoral Commission to review the conduct of the local government elections in May 2003, when it carried out its statutory review of the Scottish Parliament elections. That review was published in November 2003 and covered the joint voter education campaign for the elections.

Eleanor Scott: In its report on the 2003 elections, the Electoral Commission expressed its concern about the apparent levels of confusion in the electorate about the voting systems. The commission has offered to work with the Executive to improve things. Given the possible introduction of a new voting system for local government in 2007, will the minister say whether the Executive will work with the commission? What will the Executive do to ensure that voters can use the new system to its full potential?

Mr Kerr: Those matters have been raised with the Local Government and Transport Committee: the Executive will take due cognisance of the points that the committee raises. Of course the Executive will seek to work with the Electoral Commission, which is the body that is responsible for much of the work that we do in elections. We will work with it to ensure that we reduce voter confusion at the next elections.

Asylum Seekers

3. Patrick Harvie (Glasgow) (Green): To ask the Scottish Executive what steps it is taking to enable asylum seekers and refugees to contribute to their new communities in Scotland. (S2O-1640)

The Minister for Communities (Ms Margaret Curran): The Scottish Executive is supporting the Scottish Refugee Council to implement the framework for dialogue project, which enables asylum seekers, refugees and host communities to communicate in order to support integration. The Executive has also provided funding to assist with the development of refugee community organisations and the refugee policy forum, which allow asylum seekers and refugees to participate in their communities.

Patrick Harvie: There is much positive work going on, which I am sure we can all endorse. I wish to ask the minister about the Executive's general approach to those communities. Does the minister recall the First Minister's statement last

month on fresh talent, in which he expressed detailed views on migration and asylum and explained his approach on gaining policy changes from the United Kingdom Government? Why, on other reserved aspects—such as families being made destitute on our streets, the imprisonment of children in Dungavel and asylum seekers being pushed as far as three Iranian men have been pushed in Glasgow in recent weeks—does the Executive tell us nothing but that those matters are reserved? On what basis does the Executive decide whether to form a view, to express it to Westminster, to express it publicly to Scotland or to maintain a silence?

Ms Curran: I draw members' attention to my response to a parliamentary debate about Dungavel, during which I attempted to explain that the Executive will take clear action where it has clear responsibilities. That is what I do in relation to refugees and asylum seekers. Where an issue is reserved in law, the Executive must operate within the law. However, there are occasions when the Executive would find it appropriate to have some dialogue. In response to Linda Fabiani and in order that we could move forward I have in the past raised with Beverley Hughes various matters that have been drawn to my attention.

I have always made it clear—the Executive will continue to make it clear—that the Executive cannot alter matters of law in respect of reserved issues. The Executive has been given recognition from the refugee community that, on matters for which it has responsibility, it has taken many progressive steps to support asylum seekers and refugees in Scotland. That—I say in all sincerity—should be the focus of Patrick Harvie's attention too. It is not proper for this Parliament always to focus on the activities of another Parliament. Let us focus properly on the activities of this Parliament and let us properly support refugees and asylum seekers in Scotland when we can.

Linda Fabiani (Central Scotland) (SNP): Will the minister continue to speak to her counterpart in Westminster, Beverley Hughes, and insist that the most sensible way to allow asylum seekers and refugees to integrate with communities and to make a contribution to communities is to give them the right to work? Work is the only way in which they can contribute fully.

Ms Curran: I reassure Linda Fabiani that I will properly undertake my responsibilities as a minister and that I will engage with Westminster as and when it is appropriate on a number of issues. I do not agree entirely that work is the only way in which people can contribute. At the heart of the matter is the fact that Britain needs an effective and robust immigration system—that is a debate that will properly take place at Westminster. That is part of the Labour Government's response on the right to work.

Carolyn Leckie (Central Scotland) (SSP): The minister is responsible for housing. Will she at least comment on the housing conditions of Farnborz, Mokhtar and Farouk, who are on hunger strike? They are living in a bedsit that has been contracted by Glasgow City Council. It has poor wiring and is clearly in a state of disrepair. That, I imagine, is her responsibility. Will she undertake to investigate it and, if she agrees with me on the findings, to do something about it?

Ms Curran: I draw to Carolyn Leckie's attention the regulatory regime for housing in Scotland. It is a robust system that is used by Communities Scotland, which properly regulates all local authorities' discharge of their housing duties. That is where that question should be directed.

Staff Relocation

4. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive whether it has examined the advantages of the Irish model of staff relocation policy when considering its own policy. (S2O-1607)

The Deputy Minister for Parliamentary Business (Tavish Scott): The Executive will watch with interest the development of policy in Ireland and, indeed, in Whitehall following the Chancellor of the Exchequer's announcement yesterday on the implementation of the Lyons review.

Fergus Ewing: I would have thanked the minister if that had been an answer.

Is the minister aware that the Minister for Finance in Ireland, Mr Charles McCreedy, announced in December a fully detailed programme for the proposed relocation within three years of 10,000 jobs to the parts of Ireland that need investment? Does the minister agree that, although we should not replicate completely the policy of another country, a national strategy with the principle of having volunteers not conscripts and a national spatial policy through which relocated jobs go to the parts where economic development is needed are the model policies to which Scotland should aspire?

Tavish Scott: I am never clear whether Mr Ewing backs the Executive's decision to relocate Scottish Natural Heritage to Inverness. He should not suggest that the Irish example is directly comparable with Scotland because there are many differences between the approach in Scotland and the Irish model, as I understand it. The Irish system is not without its controversies. I understand that there is controversy over the fact that relocation costs are not paid to staff, who are being asked to relocate to different parts of Ireland in a short time order. However, such costs are being met as part of the relocation of Scottish

Natural Heritage. I wonder whether Fergus Ewing agrees with that Irish policy.

Dr Elaine Murray (Dumfries) (Lab): Fergus Ewing and I often disagree but, in this case, I ask the minister to consider the merits of the system in Ireland, which uses a regional regeneration strategy to determine where the jobs ought to go. Will the minister consider seriously such a system of relocation, given that, sadly, the application of the Executive's present criteria results in areas such as Dumfries and Galloway never being shortlisted for serious consideration for civil service job relocation?

Tavish Scott: I appreciate Elaine Murray's concerns and I sympathise with her for having to go to Dublin with Fergus Ewing. She raises important issues. I have said that we will consider the Irish model with interest. We will develop, through discussion, any aspect from which we can learn. However, as I said, there are differences between the Irish model and the approach that we take in Scotland. That is not to say that Dumfries and Galloway, like every other part of Scotland, should not benefit from our policy.

Mike Pringle (Edinburgh South) (LD): Now that the Executive has decided to relocate SNH out of the heart of my constituency, will the minister assure the people of Edinburgh South that another large employer, NHS Scotland—the offices of which are only half a mile away from the Parliament—will not be relocated?

Tavish Scott: I am afraid that I can give no such assurance. I am sure that Mr Pringle understands the Scottish Executive's relocation policy and knows about the role that the triggers play in ensuring that particular decisions are consistent with the overall policy. Decisions must be consistent with the need to balance the different needs of the economy, the different aspects of the trigger levels and the frequently raised issues about the Edinburgh economy and the economies around it.

Victims of Trafficking

5. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive how women victims of trafficking for the purposes of sexual exploitation will be supported by the pilot support service for victims of trafficking for which it announced £100,000 funding on 8 March 2004. (S2O-1572)

The Minister for Communities (Ms Margaret Curran): The pilot project will assess needs and provide advice and support to women who are trafficked into Glasgow for sexual exploitation. It will develop ways of contacting women who are involved in indoor prostitution to provide information on a range of issues such as sexual health, housing and debt advice. The project will

collate information about victims and those who are suspected of trafficking to enhance intelligence for those who are involved in counter-trafficking work. It will also raise awareness of front-line service providers and encourage the development of good practice.

Pauline McNeill: I welcome that answer.

Police reports show that the number of women who are trafficked for sexual exploitation and held as sex slaves in flats and saunas throughout Scotland is increasing. In a recent raid in my constituency, nine foreign women were found who are believed to have been forced into prostitution. Does the minister agree that there is a strong need for sensitive support for such victims of human trafficking, who often have no money and no passport and who often fear repercussions against their families in their home country? Does the minister agree that Glasgow City Council's work through the project is extremely important and that continuing financial support should be provided to allow the project to continue?

Ms Curran: Pauline McNeill raises a number of points in her question. I recognise the innovative nature of the work that Glasgow City Council has done on the issue. We will evaluate the support that we are giving to the council and look at the impact of the work that it is doing. We will also continue to hold discussions on the subject. I agree that services of this nature have to be particularly sensitive, given that the women who are to be found in this plight are perhaps among the most vulnerable women on the planet, let alone in our communities. Such women suffer not only from the fear of sexual exploitation through prostitution and other such activities, but from the threat of death. Often they have no passports; all avenues and means of escape are taken away from them. Women victims of trafficking are extremely vulnerable women and we must develop services to support them. As I said in my earlier answer, we must develop intelligence on the issue so that we can deal with the traffickers. Trafficking for the purposes of sexual exploitation is one of the most brutal forms of exploitation and we cannot accept it any longer.

Housing Developments (Infrastructure)

6. Fiona Hyslop (Lothians) (SNP): To ask the Scottish Executive what importance it places on the provision of appropriate school, health and transport facilities to support major housing developments, such as the heartlands project at Polkemmet in West Lothian, which has the fastest-growing population in Scotland. (S2O-1667)

The Deputy Minister for Communities (Mrs Mary Mulligan): We place great importance on such provision. We must and will strive for sustainable settlements in which all sections of the

community have good access to jobs and services.

Fiona Hyslop: The minister will be aware that 2,000 houses are proposed along with important environmental remedial work at Polkemmet. The provision of a road junction to the M8 is vital to the proposal. Can she give an assurance that her Executive colleagues with responsibility for planning and transport will work collectively to deal with any competent application that is made? Furthermore, can she provide a reassurance that the proposal will not be unduly influenced by other major development proposals in the central belt such as the development that is proposed at Ravenscraig, in the First Minister's constituency?

Mrs Mulligan: I cannot be other than aware of the development at Polkemmet, given that it is in my constituency. I am aware of the huge numbers of discussions that are under way to make it a sustainable development. It involves one of the largest derelict sites not only in Scotland but in the UK and a great deal of work on housing, business and transport facilities is required before it is reinstated. Obviously, I cannot comment at this stage on the outcome of the discussions on a further M8 junction other than to say that the matter will be considered. The Executive strives to discuss issues across departments in order to ensure that the outcomes are the most satisfactory for local communities.

The Deputy Presiding Officer: Question 7 has been withdrawn.

Affordable Housing

8. George Lyon (Argyll and Bute) (LD): To ask the Scottish Executive whether it will consider changes to the planning system in order to improve the supply of affordable housing. (S2O-1657)

The Minister for Communities (Ms Margaret Curran): We are considering the role that the planning system can play in the supply of affordable housing and we will publish best practice advice on this later this year. We will also consider whether any legislative change is needed.

George Lyon: The minister will be aware that one of the major constraints in rural areas is the availability of land for new housing. The major constraint is usually the planning system's refusal to allow land to be built on. Given that there is surplus agricultural land throughout much of rural Scotland that could be used for new housing, will the minister take that issue into consideration when she looks at the question of overhauling the planning system?

Ms Curran: Yes. In fact, we have just issued a consultation in respect of planning advice on rural

development. Some of the broader issues that George Lyon raises are interesting in terms of how we develop our affordable housing policy. As we undertake the review, we will take into consideration a variety of factors, one of which is the supply of land. We are looking at strategic land banking and at the development of sites. In our consideration of the subject, we will take a broad view of how we take forward planning policy. I hope that we will have numerous debates on the subject in the coming period.

Sarah Boyack (Edinburgh Central) (Lab): I welcome the minister's response to George Lyon's question. I also welcome the award that she made to the City of Edinburgh Council for its imaginative policies on the delivery of affordable housing through the planning system. Does she acknowledge that, in order to build affordable houses, our social housing providers in Edinburgh need the capacity to meet the scale of our housing crisis, which is currently running at the level of 1,000 new homes a year? Will she meet me to discuss how an integrated approach can be taken to tackling Edinburgh's housing crisis?

Ms Curran: Yes, I would be happy to meet Sarah Boyack to discuss housing policy and housing options in Edinburgh. We are undertaking a review of affordable housing because of issues in places such as Edinburgh and because there are rural areas with acute shortages. As she knows, there is an over-supply of housing in other areas, and there are issues to do with quality and standards. We are now attempting to develop an integrated approach. That means examining the available mechanisms, the planning system and the available land and ensuring that social housing needs are taken into account. I will happily discuss those issues with Sarah Boyack.

General Questions

Scottish Drug Enforcement Agency

1. Richard Baker (North East Scotland) (Lab): To ask the Scottish Executive whether it endorses the change in strategy by the Scottish Drug Enforcement Agency. (S2O-1587)

The Deputy Minister for Justice (Hugh Henry): The primary focus of the SDEA has been, and will continue to be, to work closely with law enforcement partners to combat the damage that is caused to Scotland's communities by drug trafficking and other forms of serious and organised crime.

Richard Baker: Given the Scottish Drug Enforcement Agency's new approach, which is based on new laws on seizing the assets of drug dealers, will the minister assure me that the agency will work with the appropriate authorities in

England to tackle the problem of drug dealers from the midlands bringing crack cocaine to Aberdeen? Could he assure me that, as the profits of drugs gangs are targeted, the proceeds arising from the assets that are seized will be used to support schemes to tackle drugs misuse for the benefit of communities that are plagued by drugs crime, including communities in Aberdeen?

Hugh Henry: There are two distinct aspects to that question. First, the SDEA works closely with partner agencies elsewhere in the United Kingdom and Europe. Co-operation, involving the gathering and sharing of information, intelligence and experience, has been effective in helping the agency to achieve its widely acknowledged success. There will be close co-operation with other parts of the United Kingdom in applying such an approach in Scotland and, specifically, in Aberdeen.

On the second part of the question, the First Minister has made it clear that he is keen for the money that is seized from those who are engaged in drug dealing and other illegal activity to be used to benefit the communities that have been most directly affected by that crime. We are considering a range of proposals in that regard and we hope to make an announcement on that in the near future. We are determined to ensure that the communities that have been worst and most directly affected benefit from any assets that are recovered.

Ms Rosemary Byrne (South of Scotland) (SSP): Is the minister aware that the implementation of the enhanced services element of the new contract for general practitioners means that some health boards are not prioritising the provision of drug treatment? For example, Greater Glasgow NHS Board is seeking to set up an alternative, non-GP-prescribing service at lower cost. Does he agree that moving to large, central clinics without proper consultation will result in lower retention and a consequent increase in drug use and drug-related crime? Will he assure me that those seeking a route out of drug misuse will not be penalised as a result of that?

Hugh Henry: We are currently examining treatment and rehabilitation services. Medical services in local communities will be a matter for local health boards, which will need to take into account many aspects of clinical treatment, of dependency and of the needs of the individual. I am not sure that the conclusions that Rosemary Byrne draws are necessarily correct, but I would be confident that those who are responsible for those services in local communities will do everything in their power to ensure that the best possible service is delivered to those who need it at the earliest possible opportunity.

Mr John Home Robertson (East Lothian) (Lab): Can either the SDEA or the Executive take

any steps to stop the prescription of methadone for consumption outside pharmacy premises? Is the minister aware of disturbing evidence that prescription methadone can be distributed to other people, with fatal consequences in the case of one young man in my constituency?

Hugh Henry: There are clearly concerns if people are misusing or abusing methadone. Specific examples of such abuse should be reported to the appropriate agencies. It is necessary to consider the environment in which methadone is both prescribed and consumed. Any steps that can be taken to improve confidentiality and privacy, as well as security, will be considered. We are aware that some people continue to abuse and misuse methadone, and whatever steps can be taken will be taken.

Scottish Agricultural College

2. Brian Adam (Aberdeen North) (SNP): To ask the Scottish Executive what the implications are for the Scottish Agricultural College of the recent research organisation assessment exercise in respect of its funding and for the timing of the publication of its business plan. (S2O-1618)

The Deputy Minister for Environment and Rural Development (Allan Wilson): The recommendations of the research organisation assessment exercise are being considered with the Scottish Agricultural College. Until that process is complete, it is not possible to comment on possible implications for the SAC's funding and the business plan that it is preparing.

Brian Adam: The independent research organisation assessment exercise's conclusion on the quality of research in the Scottish Agricultural College runs counter to the basis of the Deloitte & Touche reports on the future of the college. Which view is correct and has the Scottish Executive had any consequential discussion with the college on the content of its future business plan and the timing of its publication?

Allan Wilson: Yes. There are three things going on here, which Brian Adam will appreciate, given his constituency interest. First, we have the ROAE reports to which he referred, which are obviously confidential, given their subject matter. Secondly, we have the strategic review of the biological research strategy as a whole, which will impact on the SAC. Thirdly, there is the preparation of the business plan. We discussed each of those matters with the college and came to the proper conclusion that we should delay publication of the business plan to take account of the research review as well as the strategic assessments contained therein, which is the right thing to do.

John Scott (Ayr) (Con): Is the minister aware that student applications to the SAC have

increased by more than 50 per cent this year? Does he agree that by moving much of the college's educational capability to Edinburgh, which is part of its plan, it will in the long term run down its educational commitment rather than increase it?

Allan Wilson: Given that we have debated the matter at length, John Scott knows that I agree with much of what he said. In particular, he knows that Mr Finnie required the college to prepare a more detailed business plan to fill out the detail in the strategy to which he referred. The plan will set out how the college will rationalise activity across several sites and continue to make educational provision in both Ayrshire and Aberdeen. Therefore, the business plan will have to take into account all those developments as well as the strategic review and the external assessments.

Bankvale Associates Ltd

3. Dennis Canavan (Falkirk West) (Ind): To ask the Scottish Executive what action it is taking in respect of the report to the Minister for Health and Community Care on the meeting held on 4 March 2004 between South Glasgow University Hospitals NHS Trust and Bankvale Associates Ltd. (S2O-1616)

The Minister for Health and Community Care (Malcolm Chisholm): I have been advised by South Glasgow University Hospitals NHS Trust that its report on the recruitment of nurses from Bankvale Associates Ltd will be finalised within the next few days. Pending completion of the report, the trust has suspended its arrangement with Bankvale. It will consider future arrangements with Bankvale in light of the conclusions of the report. It has written to the individual nurses to advise them that the trust will no longer be making the deduction from salary for the payment of rent. I expect all national health service employers to treat all staff fairly and to ensure that all recruitment activity meets the highest standards of probity.

Dennis Canavan: Does the minister agree that it is completely unacceptable for the national health service to use recruitment agencies such as Bankvale, which exploit overseas workers by charging them £400 for a job interview and pocketing £800 from the NHS for every nurse recruited? The minister claims that the NHS is not directly responsible for the excessive rent levels and loan charges that leave some of the nurses with as little as £8 per day to live on, but will he accept responsibility for ensuring adequate standards of social justice for such NHS employees by instructing all NHS trusts in Scotland not to use agencies such as Bankvale ever again?

Malcolm Chisholm: The report will be available at the beginning of next week so the proper thing

to do would be to wait for that and consider the details of the situation. The Bankvale agency is involved, there is an issue to do with the landlord and how much rent was being charged, and an agency in the Philippines is also involved. I certainly take the situation seriously, and I look forward to considering the report in great detail. Before I respond in detail, the right thing to do is to read the report. I will send Dennis Canavan a copy of the report as soon as it is available and I will put a copy in the Scottish Parliament information centre.

Swing Bridges

4. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive what its policy is in respect of whether swing bridges should be used on main trunk routes where they cross canals or waterways and whether it will provide any incentive to avoid retention of swing bridges when trunk road improvements are carried out. (S2O-1609)

The Minister for Transport (Nicol Stephen): A trunk road swing bridge over a navigable waterway would be considered only where there is no practical and economic alternative. The case for replacing or retaining a swing bridge as part of a trunk road improvement scheme would be evaluated as part of the normal option appraisal process.

Fergus Ewing: I am considerably indebted to the minister for that answer. I refer, of course, to the proposed swing bridge in Inverness. Is he aware of the telephone poll that was conducted by that august journalistic body the *Inverness Courier*, which showed that the overwhelming majority of Invernesians are opposed to the swing bridge proposal? Indeed, there is near unanimity on the issue among the good citizens of Inverness. Will he consider, with the provost and the councillors who have to grapple with the issue, any mechanism that would allow a bridge or underpass to be used rather than a swing bridge?

Nicol Stephen: I was unaware of the poll that Fergus Ewing refers to. I am always willing to have discussions with Highland Council and with the provost. My colleague Lewis Macdonald wrote to the provost last year to set out the Scottish Executive's approach. The proposal is for a local road improvement; it is not currently a trunk road. Lewis Macdonald made that clear in his letter, which says:

"It would also be for the Council to decide whether it considered there was a sufficiently strong case in relation to the national or strategic importance of this crossing to justify an approach to Scottish Executive Ministers to seek assistance with funding."

That is still the position, and we are still willing to have discussions on the issue. I know that the issue is a priority for Highland Council.

Dispute Resolution (Mediation)

5. Marilyn Livingstone (Kirkcaldy) (Lab): To ask the Scottish Executive whether it will support greater use of mediation in dispute resolution. (S2O-1666)

The Deputy Minister for Justice (Hugh Henry): Yes. The Executive believes that mediation can be a useful mechanism for resolving disputes effectively and efficiently. We strongly support it and we are keen to encourage its use where that is feasible and appropriate. The Executive provides support and funding for a range of mediation and advice services, and we are actively considering with key stakeholders what further action could be taken to encourage greater use.

Marilyn Livingstone: I thank the minister for his answer and for his commitment to the service. Does he agree that Fife, and in particular Fife Council, has provided an example of best practice in the area, especially in neighbour disputes? Will he assure me that such innovative projects, which involve cross-departmental and cross-agency working, will continue to receive Executive support? That will ensure that such disputes are kept out of courts and that they are speedily resolved, which is important to those who are involved.

Hugh Henry: Yes. Fife Council has a commendable record in using mediation to resolve disputes; it has been doing so for many years. A number of authorities throughout Scotland are increasingly looking at the effectiveness of mediation services. As Marilyn Livingstone indicated, those services can help to keep claims out of courts and to keep costs down. They can also help to resolve disputes quickly, which is just as significant. It is not only in local authority services that mediation can make an impact. Recently, I had meetings with a number of private sector organisations that appreciate the value of mediation. We are keen to support its use where it can have a beneficial effect.

Jeremy Purvis (Tweeddale, Etrick and Lauderdale) (LD): Does the minister agree that it is vital for local communities to know about not only the powers that will be available under the Antisocial Behaviour etc (Scotland) Bill but the facilities through which mediation can be implemented? He will be aware that neighbourhood watch schemes—such as the Ladywood neighbourhood watch scheme in Penicuik, to which I spoke last night—crime prevention panels and other local community groups are very active in the area but are often unaware of the powers that are available to local authorities or of measures such as mediation. Does he think that communication with local communities is vital?

Hugh Henry: It is a matter for local authorities to determine how they can best communicate with local organisations and communities. The Executive has certainly invested significantly in improving local authority services. Indeed, the moneys that Margaret Curran recently announced to tackle antisocial behaviour will make a significant difference to local authorities that are engaged in developing a range of services to tackle such behaviour, part of which can involve mediation and counselling. I am sure that the authorities will put that money to good use and hope that, as Jeremy Purvis suggests, they will try to communicate effectively with local inhabitants.

Concessionary Travel

6. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive when it will begin consulting on proposals for the introduction of a national free off-peak bus scheme as part of its commitment to concessionary travel. (S2O-1573)

The Minister for Transport (Nicol Stephen): The consultation paper on concessionary travel is currently being finalised and we intend to publish the document in April.

Pauline McNeill: I welcome that answer, as some of us have asked the question a few times previously and been told that the Executive would begin consulting soon.

I add my support, as others have done, to the free off-peak bus scheme for older people and people with disabilities, and to the commitment in the partnership document to extend it to a national scheme. Will the minister say what factors he will consider in the consultation process in determining when the national scheme will begin and how it will be shaped?

Nicol Stephen: A number of issues require to be considered. Currently, 16 local schemes are operated by different local authorities, groupings of local authorities, or, in the west of Scotland, Strathclyde Passenger Transport. It is important that we move forward from our current commitment to free local off-peak bus travel for pensioners and disabled people to roll out a national scheme that takes into consideration local differences and it is important to decide how that scheme should best be administered. As Pauline McNeill and other members know, there are proposals for stronger regional transport partnerships. There is also a proposal for a Scottish transport agency and there has been a consultation document on that agency. I am currently considering the responses to that consultation.

We must decide the best way to organise, operate and manage the national scheme and how to involve the 16 local schemes, and we must

decide the role of regional partnerships and the transport agency. That will take time. It is also important to involve the bodies that are affected, such as pensioner groups and disabled groups, and, indeed, individuals who can benefit from the scheme. I hope that they will respond in large numbers to the proposals so that we have a scheme that is sensitive not only to regional and local needs but to the needs of individuals.

Landfill (Aucheninnes Moss)

7. Chris Ballance (South of Scotland) (Green): To ask the Scottish Executive what consideration it has given to the proposed landfill site at Aucheninnes moss in Dumfries and Galloway and its impact on the survival of the bog bush-cricket and the sorrel pygmy moth. (S2O-1645)

The Deputy Minister for Environment and Rural Development (Allan Wilson): The Scottish ministers gave careful consideration to the planning application for the Aucheninnes landfill site. Unfortunately, we decided that there were insufficient grounds to justify intervention in Dumfries and Galloway Council's handling of the case. In reaching that decision, ministers took account of advice from Scottish Natural Heritage on the ecological aspects of the proposal.

Chris Ballance: I noticed the amusement with which the minister's reply was greeted by Labour members. I point out to the minister and other members that my motion on Aucheninnes moss has been signed by every party that is represented in the South of Scotland. There is complete cross-party agreement on the issue. Will the minister please put all the evidence that Scottish Natural Heritage used in reaching its decision in the Scottish Parliament information centre? Will he please ask SNH to reconsider its decision? Will he personally be responsible for species extinction in the cause of the expansion of a landfill dump?

Allan Wilson: I admit that I was more aware of the interest of Chris Ballance's colleague in the matter than I was of his own interest, but I note his new interest. As I said, we were satisfied that the ecological interests—which obviously include the measures to protect the bog bush-cricket, the sorrel pigmy moth, the large heath butterfly and all other forms of latent biodiversity—were going to be dealt with satisfactorily within the statutory habitat management regime that was signed up to and formalised between the local authority or the planning authority and Scottish Natural Heritage, which is our scientific adviser on all matters of ecological interest. That is the correct way in which to protect the interests of those life forms, and that is the basis on which we will proceed.

Alex Fergusson (Galloway and Upper Nithsdale) (Con): The minister may laugh at this,

but I hope that he will be aware of the branding approach that is being taken by a number of towns in my constituency, Wigtown being the book town and Castle Douglas being the food town. Is he aware that Dalbeattie, which is the town next to the Aucheninnes landfill site, believes that it is being forced to accept the title of dump town? Given the fact that the community is unanimously opposed to the extension of the Aucheninnes landfill site—a proposal that would not receive planning permission under current criteria—will he consider ordering a review of the part of Dumfries and Galloway Council's waste plans that affect that moss?

Allan Wilson: As the member will know, the landfill regulations that we introduced explicitly require the location of a landfill site to take into account the ecological and habitat interests of the locality. The member raises the question whether ministers should take into account overwhelming local opposition in coming to a conclusion. I do not dispute what he has to say. I am not the minister with responsibility for planning, but I can say that the weight of opposition is not a determining factor in deciding whether to call in a case; rather, it is a matter of how the proposal fits in with local and national planning policy. That is what will continue to guide ministerial decisions.

Alasdair Morgan (South of Scotland) (SNP): The minister says that there are insufficient grounds to justify ministerial intervention, but how can people have any confidence in the planning system when waste is being taken to Dalbeattie from all over the Stewartry and beyond in total defiance of the proximity principle? Almost every inhabitant of Dalbeattie—which is the largest town between Dumfries and Stranraer—is totally against the proposal. How can people have any confidence in the Government if the expansion is allowed to go ahead?

Allan Wilson: I took account of the argument about the weight of opposition. I agree that it is the fundamental right of every Scot to have a say in the planning processes that affect their local communities, and nothing that I have said would undermine that. I agree that, as things stand, some people have difficulty in engaging with the planning process and in getting local and other considerations taken into account throughout the term of the planning process. That is why we published the white paper "Your place, your plan" in 2003, which sets out how we intend to improve the planning process so that the right of every Scot to make their views known throughout the planning process will be enshrined and will improve future decision making.

Action to Promote Women

The Deputy Presiding Officer (Murray Tosh):

The next item of business is a debate on motion S2M-1052, in the name of Margaret Curran, on action to promote women in Scotland, and one amendment to the motion.

15:04

The Minister for Communities (Ms Margaret Curran): Thank you, Presiding Officer. *[Interruption.]* Are we all sitting comfortably? Shall I begin?

I am delighted to move this motion this afternoon. Throughout the world, we take the opportunity afforded by international women's day to celebrate women's achievements, recognise the many challenges that so many of them still face and reaffirm our commitment to the equality of women and men.

Since its inception, this Parliament has recognised the significance of the event and properly acknowledged that the equality of women is a defining characteristic of any modern democracy. We are justly proud that 40 per cent of the MSPs in our young legislature are women, which places us fourth in the league table of women's representation. Many of us know that that outcome was made possible by strong campaigning and positive action. We also know that in order to deliver we must ensure that equality is reflected in the policies, priorities and actions of the Parliament. That is what the Scottish Executive has done. As I will argue this afternoon, in doing so, we have taken the Scottish Executive into a leading position in tackling inequality.

There are four clear strands to our work: partnership and engagement; work with the UK Government; developing the Scottish agenda; and future ambitions for women.

Maureen Macmillan (Highlands and Islands) (Lab): Is the minister aware that Highlands and Islands Enterprise has recently announced that it will cease to fund the Workers Education Association Scotland's women at work project, which encourages women into management, business and public life? The sudden loss of funding means that the network will probably collapse. Does she agree that HIE's decision goes against the spirit of her motion?

Ms Curran: I will need to double-check the details and my familiarity with that decision. I am hesitant because I want to ensure that we have those details. In principle, I acknowledge Maureen Macmillan's argument that such a decision appears to run counter to the policies that we are trying to develop and I give her a commitment that

I will examine the matter and check the details of the decision with her. I am about to argue that we are allocating substantial funding to develop the very policies that she has highlighted. Perhaps that is partly an answer to her question; I will come back to her on the details.

A key plank of our approach has been to listen to and work with the key organisations that represent women's interests in Scotland. From the Equal Opportunities Commission to Engender, the Executive has taken an approach that facilitates the analysis of and dialogue about the position of women in Scotland. For example, the proposal for the women's convention emerged from our partnership with the Scottish Trades Union Congress's women's committee. The STUC properly argued for an independent body to inform and influence policy and I was happy to agree to the suggestion to ensure that when we say that we want to involve and influence women, we mean it.

We are also determined that our conversation with women goes beyond those who traditionally have influence. We want to see contact with and support for local organisations. That aim has been accomplished partly through the women's fund and the investment of £450,000 over three years. So far, the fund has supported a range of organisations and projects that, for example, help women with alcohol issues, provide help with language translation and provide support to women who are homeless. It is important that women who work in local communities have a voice, have influence and are heard.

Partnership working also extends to the UK Government, and that has been particularly important in the current discussions about establishing a commission for equality and human rights. We are determined that the new body should be properly structured, resourced and organised to ensure that it engages with Scottish institutions, including the Executive and this Parliament, and that it is effective in delivering equality. We want a body that will have a strong presence in Scotland and which will be tuned to specific approaches, particularly mainstreaming, that we have adopted to advance equality.

We will continue to work with the UK Government on other fronts, particularly on tackling the pay gap. Although that gap has narrowed by 3 per cent since last year, we are not complacent. We are determined to deal with the mounting problems that it poses and will continue to work with our partners in the close the gap campaign to raise awareness and encourage employers to undertake equal pay audits.

The report of the strategic group on women highlights the need to take action in some specific sectors of the economy. We acknowledge that that must be done and I will ensure that the point that

Maureen Macmillan raised is followed up in that context.

I would have thought that an SNP member would have intervened by now. However, let me deal directly with its amendment.

As an aside, I note how intrigued I am by how much the SNP has been carried along on the Scottish Socialist Party's coat tails. The SNP seems to lack original thought on several matters and to pick the same topics for debate as the SSP does. In fact, I believe that the wording of the SNP's amendment is from an SSP motion from last week. However, that is a matter for them.

Carolyn Leckie (Central Scotland) (SSP): Does the minister agree that that is because we are on the right side?

Ms Curran: Oh, no—it just shows the confusion that exists. One party does not know where it stands and the other has little to offer the reality of working-class people's lives.

Shona Robison (Dundee East) (SNP): I find it astonishing that, in a debate about gender equality, which is about low pay, the minister would deal with the nursery nurses issue in such a frivolous manner. Rather than being so frivolous, will she tell us whether she believes that, to address the gender pay gap, nursery nurses should get a fair pay settlement? If so, what will she do about it?

Ms Curran: Oh, my goodness—my comments must have hurt. However, never mind. It is surely appropriate in a chamber such as this for one political party to criticise another party and for that party at least to have some gumption and take it.

Let me focus on nursery nurses because that is, of course, an important issue, which has properly demanded attention from the First Minister and from Parliament. The Executive's position is that we recognise the enormous contribution that a largely female work force makes to our children's development. I made my specific remarks in response to Carolyn Leckie because we debated the issue of nursery nurses last week, and it is incumbent upon me to remind members what the Parliament agreed. We emphasised the need for the nursery nurses to receive a fair pay settlement and urged negotiations to continue to achieve just that. However, Parliament went much further than the SNP seeks to do. Parliament made it clear that it wants the Executive to push forward at the national level with plans for improved work force planning, a better qualifications framework and developing clearer career pathways for early-year workers. I confirm that the Executive wants to get on and do just that with employers and trade unions as soon as we can. The First Minister made that clear during First Minister's question time today.

Shona Robison: Will the minister give way?

Ms Curran: No. I am running out of time.

Parliament specifically said that it wanted action to be taken in respect of nursery nurses in order to secure better opportunities and greater equality in the work place for what is a predominantly female work force.

I return to my main theme of equality for women, which is the subject of the debate. The report from the strategic group on women made it clear that many challenges remain, but it also acknowledged that much progress has been made. It is incumbent upon members who claim that they are not making party-political points to recognise the real and solid progress that the Executive has made. Where we have taken decisive action, we know that it has made a difference. By 2005-06, £40 million will have been spent on child care; in 2003-04, £21 million is being given to support carers; and in 2004-06, there will be £20 million for the working for families fund, which helps to reduce child care barriers for parents moving into training, education or employment.

We have also made significant progress with our strategy to tackle domestic abuse, as has been widely recognised. We have provided £12 million since 2000 to build new refuges and to extend and improve old ones. We have ensured coverage in every local authority area in Scotland, which was not previously possible. We have given £6 million to deliver new services to support, for example, children who have experienced domestic abuse. Further, everyone would recognise that our awareness-raising campaigns have altered the debate around domestic abuse in Scotland. We are continuing to develop that work.

I recently announced that £1.5 million would be provided over two years for direct services that work with women who have experienced rape and sexual assault, women who are adult survivors of childhood sexual abuse and women who are experiencing commercial sexual exploitation. Women from Rape Crisis and from throughout the women's movement in Scotland acknowledge that, for the first time in the UK, Government has provided funding for work on such issues. We are transforming that area of work and that should be properly recognised.

We must go further. The strategic group on women has set out a comprehensive agenda and I thank it for its hard work. We must tackle a number of issues in Scotland because we are determined, on international women's day and the period around it, to reaffirm our commitment to the promotion of women and the furtherance of equality.

I move,

That the Parliament welcomes the publication of the report of the Strategic Group on Women, *Improving the Position of Women in Scotland: An Agenda for Action*, and urges all individuals and organisations that have an influence on the lives of women in Scotland to work together for the benefit of the whole of Scottish society, to deliver more opportunities for all women and greater recognition of the contribution women make through paid and unpaid work to the economic and social well-being of the country.

15:14

Shona Robison (Dundee East) (SNP): I begin on a consensual note by paying tribute to the work of the strategic group on women. I also want to acknowledge the good work that the Parliament has carried out on domestic abuse in particular. It is commendable that that area has received a higher profile and additional resources because of the existence of this institution.

However, little progress has been made in other areas. I will focus on equal pay, on which we still have a long way to go. Women who work full-time earn 19 per cent less per hour than men; they earn even less for part-time working. Sixty per cent of employers still have no plans to have an equal pay review to check that their employees are being treated fairly. There is also a disparity between Scotland and England—Scottish women have a gross weekly income of only £371, whereas the income of their English counterparts is £401.

We have a problem, because the Parliament has no powers to address those issues. The review group's report said:

"a number of the key levers of influence in women's lives are reserved to the UK Parliament at Westminster e.g. employment and equality legislation, tax, benefits, pensions policy and minimum wage levels."

That is a compelling reason for the Parliament to have control over those key levers; having such control would allow it to deliver real change for women in Scotland.

In relation to women's pay, there is one area in which the Executive and the Parliament can lead by example. The report recommends that the Executive should have gender pay gap targets to meet and that there should be better child care provision with increased funding. I could not agree more. The Parliament could make a good start by implementing both those recommendations and ensuring that Scotland's nursery nurses get a fair settlement to their pay dispute and receive fair pay for the hard work that they do. Even if their full claim were met, nursery nurses would still receive many thousands of pounds less than the average male wage.

The debate could go in two directions. Late on a Thursday afternoon, we could have a nice, worthy

debate about gender equality, in which we all dust down our pro-women credentials and talk about the need to urge for this or that, but we would end up changing nothing for Scottish women before we went home to have our tea. Alternatively, we could make the debate real for people by tackling gender equality here and now. That could be done by people putting their money where their mouths are and acting to end the inequality of the wages earned by nursery nurses—an almost exclusively female work force, which is undervalued. The Scottish National Party's Michael Russell first raised that issue in the Parliament in 2001.

Is the debate about theory or practice? Are people going to talk a good game but, when it comes to doing something about the issue, be nowhere to be seen? Members have that choice.

Through the national child care and education strategy, the Executive has given nursery nurses new responsibilities and it is about time that it awarded nursery nurses the pay adequately to carry out that work. The Executive should intervene now to ensure that there is a national resolution to what is an increasingly bitter pay dispute.

I know that the Labour Party is very sensitive about the issue—so much so that there have been two attempts, both unsuccessful, to lodge amendments to my amendment. That shows the level of Labour's sensitivity. I can understand Cathy Peattie's sensitivity, given that she is a Unison-sponsored MSP. I am sure that she came under—

Cathy Peattie (Falkirk East) (Lab): I am a Unison member, not a Unison-sponsored member.

Shona Robison: That is even better—Cathy Peattie is a Unison member who should be taking account of her fellow Unison members who are in dispute. She should show solidarity with them.

Cathy Peattie: Will the member give way?

Shona Robison: No, thank you. I have taken one intervention.

Cathy Peattie rose—

The Deputy Presiding Officer (Trish Godman): The member is not taking an intervention.

Shona Robison: Cathy Peattie is getting a bit hot under the collar because she should have done the right thing last week by backing nursery nurses. I afford her and her colleagues another opportunity today to do the right thing.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): Will the member give way?

Shona Robison: No, thank you.

Instead of talking a good game in the Parliament, we should do the right thing. We should back a fair pay deal for nursery nurses, so that the Parliament can be taken seriously in wanting to tackle low pay and gender inequality.

I move amendment S2M-1052.2, to insert at end:

“and, in recognition of the problem of low pay for many Scottish women, agrees that Scotland’s nursery nurses have a just claim for a fair, nationally negotiated settlement to their current dispute.”

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): On a point of order, Presiding Officer. Is it the protocol that if a member attacks another member, that member should at least have the courtesy to allow the other member the right of reply?

The Deputy Presiding Officer: That is entirely up to the member.

Members: Shona Robison gave way.

The Deputy Presiding Officer: Order.

15:21

Mrs Nanette Milne (North East Scotland) (Con): This promises to be an interesting debate for international women’s day. The report by the strategic group on women makes interesting reading. The strategic group’s members are all high-flyers in their chosen fields and we must commend the valuable work that they have done on how opportunities for women can be improved. Not all women aspire to reach the top of their careers, but if they do, they should not be stopped by the glass ceiling that many women say prevents them from reaching the peak of their ambitions.

The minister will be pleased to know that we do not take exception to the motion, because I hope that we all want to work together for the whole of Scottish society to open up opportunities for all women and to recognise their contribution to the country’s economic and social well-being.

My only problem is that the report seems to assume that, ideally, everyone of working age should be involved fully in economic activity, which is not the case. The emphasis of the Government in Westminster and here on work-centred policies is fine for those who want to work, but research by the Centre for Policy Studies—I am sure that members agree that it is hardly a right-wing institution—which was published in its paper “Choosing to be different: Women, work and the family” has shown that many women would prefer to be at home with their families if they could afford to. If we really want to promote all women, we should respect the choice of those who want career breaks, who choose to work part time or

who choose not to work and who want to focus their ambitions on family rather than career.

My profession is a case in point. There are and have been for generations many career women in medicine. Such women have put everything into the care of patients, dedicated their lives to their careers and made a major contribution to society. However, there are many more—myself included—who have decided to split their lives between profession and family and who choose to work part time or not at all. That choice must be accepted as equally commendable, but the downside is that, as the number of female medical graduates is at an all-time high, that choice of lifestyle is having a significant impact on the running of the service and must be taken into account in work force planning.

As I am a Conservative, choice is important for me. Opportunity should be available to all—men and women—and Government involvement should be geared towards helping families to achieve the work-life balance that is best for them. Of course women should be respected and have equal opportunities in life, from education to career options. If they choose a working career, access to child care should not be an obstacle. If they choose a home career of bringing up their children or looking after their elderly relatives, that too should be accepted and supported.

That approach should apply to men, too. More men are opting to remain at home with their children as single parents or in the role of parent or carer while their partner pursues a career. Many of those men feel somewhat isolated. They too must be treated equitably by society.

For hundreds of years, women have made a major contribution to Scottish society in medicine, the arts, sport, politics, business and the voluntary services. Since my mother’s generation, many more women have been able to develop their talents through educational opportunity, which has opened up career options that were unheard of when I was young and given women hitherto unknown independence. That is as it should be, and obstacles should not be put in women’s way. However, encouragement should also be given to those who choose not to be economically active but to make their contribution to society through their families or through voluntary activities.

I suggest that the best way to help Scottish women to flourish is to help Scotland to flourish. If there are to be opportunities for all, we must have a prosperous country. The best contribution that the Scottish Executive could make would be to address the issues that are holding us back, such as high business rates and water charges, lack of choice for parents in education and patients in accessing appropriate and timely health care and the need for more police in our communities. Many

of those problems could be solved if the Executive would look a bit more sympathetically at some of the policies that Conservative members are promoting.

15:25

Donald Gorrie (Central Scotland) (LD): Like other members, I think that the strategic group has produced a very interesting report and I hope that the Executive will pursue the issues that it raises. The Executive has made some progress on promoting women—I know that Margaret Curran is committed to doing that—but we could do better. We are trying to put right several centuries, if not thousands of years, of discrimination the other way.

I have a piece of paper that lists all the marvellous things in the Liberal Democrat manifesto, but I will spare members that—it has probably been read and copied by other parties already. I want to concentrate on a few specific areas in which we may be able to improve matters. We can produce the rhetoric, but let us try to make a few changes.

The first issue was raised with me earlier today by a member of a deputation. It is a reserved matter, but we should bring pressure to bear with respect to it. A few years back, married women who were working paid a lower stamp. They were promised that that would make no difference to their pension, but in practice it does. Many women of pensionable age have a piffling pension and have a real problem. It is a straight discrimination issue, as all the people in this category are women. I suggest that we give Westminster a boot up the rear and tell it to get the matter sorted out.

I have mentioned previously the next issue that I want to raise, but it is worth considering. Really good progress has been made in combating domestic violence, but at the moment domestic violence is officially defined as violence by a partner. There is often other domestic violence—either by a large son against his small mother or by other male members of the family. I suggest that any violence in the home—including against the small number of men about whom my friend Mike Rumbles always goes on—should be treated in the same way. The police should get stuck into it, just as they are beginning to get really stuck into violence by a partner.

One issue that the report raises is flexible working hours, which are very important. Like me, other members will have been lobbied on occasion by nurses, one of whose problems in many areas is the lack of flexible working hours. Some institutions are quite accommodating, but others are not at all. That drives some people out of the profession. Surely it must be possible to run

organisations in a way that enables people with family or other commitments to make a good contribution but to live a reasonable life and to meet their commitments. Technically, some of these issues may be reserved to Westminster, but we could put pressure on the health service and other organisations to act in a more intelligent way and to provide greater flexibility, especially to women, who tend to be affected more by this issue.

We could also do more to develop community enterprises. We are beginning to do some work in this area, again with the involvement of the Minister for Communities. We should help small groups, including co-operatives and people who establish small companies as offshoots from charities, and individuals to set up small local businesses that may grow. That model is particularly attractive to women, as it allows them to work near home and to work hours that suit them. Many of them have a huge amount of talent that at the moment we do not value and help to develop.

Many colleges have difficulty in funding courses to get people on to the bottom rung of the ladder, so that they can get qualifications of different sorts. That situation affects women quite a lot. We should have a better system of funding to make people capable of getting into the employment stream. While I recognise that not all women want to do that, we must have a society in which there is a choice and in which work at home, whether as a mother or carer, is valued properly. I hope that the minister will pursue those suggestions to make life better for women in Scotland.

15:30

Cathy Peattie (Falkirk East) (Lab): I welcome the debate a week after international women's week. It is important that the Parliament debates issues to do with women. I support the nursery nurses' campaign and we should have an independent review.

This debate, however, is about wider issues. I have fought for women's issues since I was 15. We fought the symptoms then and now we must fight the causes—that is what the report is about. We need to hold on to that idea.

I start with the good news about women in Forth Valley. The chief executives of Scottish Enterprise Forth Valley, Forth Valley NHS Board, Forth Valley Primary Care NHS Trust, Forth Valley Acute Hospitals NHS Trust and Falkirk Council are all women. At Falkirk Council, the directors of community services, law and administration, development services, housing and social work services and nine heads of service are all women.

In the Parliament, more than 40 per cent of MSPs are women.

Things are changing—they have been changing since I was 15, when I tried to unionise women on a factory line. Things are changing in the public sector in particular, although the private sector has a long way to go. However, inequality between women and men in Scotland is still a common feature of our society. Women tend to have less access to income, earnings, pensions and resources such as cars and housing. As we know, women are the main users of public transport. They have less access to political power and decision making across a range of public bodies. Despite the high number of women who are active in their communities, they are still under-represented in local government.

One in five women has a chance of experiencing domestic abuse during their lives. I commend the Executive for the support that it gives to the public and voluntary sectors, including organisations such as Scottish Women's Aid and Rape Crisis, to which the minister referred earlier. We must ask for more to be done to ensure that the justice system acts as a deterrent to the perpetrators. I thank the 47 people who have already indicated that they agree with that point by signing my recent motion.

I also commend the Executive for its work on mainstreaming equality and gender proofing. That work is vital if we are to make the changes we need to achieve equality.

Fiona Hyslop (Lothians) (SNP): Does Cathy Peattie agree with the section on child care on page 9 of the report by the strategic group, which says:

“The Scottish Executive should enhance the quality and value of the childcare workforce. There should be a review of the pay and conditions of childcare workers in the public and private sectors.”

Should that work be done on a national basis and should there be a national settlement for nursery nurses?

Cathy Peattie: I just said that I thought that there should be an independent review of nursery nurses and I have supported the campaign, so I do not have to answer that question.

It would be helpful if the SNP were interested in equality proofing—it has shown little interest in the subject in committee.

Carolyn Leckie: Cathy Peattie says that she supports an independent review, but should that review take place before or after the strike is settled?

Cathy Peattie: I support an independent review—

The Deputy Presiding Officer: I advise Cathy Peattie that she has one minute.

Cathy Peattie: It is a shame that I do not have a chance to cover those interventions.

It is important that we value the work of women in their communities, both as volunteers and as paid workers. For too long, women's work has been seen as a source of cheap labour. We need to value women and not see them as hidden heroines; their contribution should be recognised.

We need to look at occupational segregation, which has been identified as one of the five primary causes of the pay gap. Industry is experiencing major skills shortages at the same time as training in the labour markets has characterised occupational segregation. The sectors that employ the lowest number of women are among those that are experiencing the most skills shortages. In my constituency of Falkirk East, there is a genuine skills shortage, but few girls come forward as apprentices and trainees. We need to make disciplines such as engineering and other professions an option for women and girls.

We need to be proactive in education. We must raise young women's aspirations, improve their health and build their self-esteem. Bright young women should not be pigeonholed in supposedly female, low-paid jobs.

I welcome the close the gap partnership project, which has been established by the Scottish Trades Union Congress and the Equal Opportunities Commission Scotland. I support Rowena Arshad when she said that we should forget about sex and politics, because

“pay is the new taboo in Scotland today. The whole business of pay is shrouded in mystery ... if you are a woman on a lower wage you are even more likely to be in the dark on how much you should expect. Discrimination flourishes in this culture of secrecy when people cannot be sure they are rewarded fairly.”

There should be no discrimination when employers recruit and pay people. We have come a long way in 100 years, but we have a long way to go.

15:35

Christine Grahame (South of Scotland) (SNP): I have been privileged in my political career and in my previous careers as a teacher and a solicitor because, in general, I received the same pay as my male colleagues. That was certainly true of my teaching career; it was not as true of my career as a solicitor, when I was paid very nearly the same. However, my experience represents the exception rather than the rule for women in Scotland. Often careers would come to an end when they reached a glass ceiling.

Johann Lamont (Glasgow Pollok) (Lab): I was also a teacher in the past and I accept that there is an issue of equal pay for teachers. The underlying fact is that women teachers are less likely to be promoted. We might think that we have achieved equality, but if we do not address that issue, the gap will continue to exist.

Christine Grahame: I was coming to that; the member anticipated my next point. There was indeed a glass ceiling for many women in teaching. The great concern was that if a woman took time out of teaching to be with her family—as Nanette Milne suggested that women might want to do—she would somehow come off the treadmill and find that men were ahead of her in the promotion stakes. Certainly, I would qualify what I said about equality in the teaching profession.

Of course, as politicians, we are better off, and privileged in comparison with many women who are out there in the work force. I want to focus on the position of women in general, because it is more than 30 years since the Equal Pay Act 1970 was passed—although we might not think so, when we consider what is happening out there.

Girls are bright; they do better in education than boys—I hope that Brian Monteith is not going to intervene. Some 83 per cent of the girls who are put forward for standard grades achieve grades at levels 1 to 4 compared with only 79 per cent of boys. Women comprise 56 per cent of students in higher education and account for 57 per cent of higher education graduates, yet when it comes to the work force, the position changes—it is like the difference between night and day. Some 42 per cent of female employees work part time, compared with 9 per cent of male employees. Those figures reflect not necessarily women's choices, but rather the nature of the jobs that are on offer. Women who work full time earn, on average, 19 per cent less per hour than men. For part-time workers, the average wage is £7.40 per hour, which is 41 per cent less than the average full-time wage for men. In part, that is because of the nature of the jobs that are thought to be women's jobs.

As Donald Gorrie quite rightly said, women are very disadvantaged when it comes to pensions, not just because of the reduced national insurance stamp—I think that I am coming up to the point when I will find out what happened to mine—but because women who come out of the work force have not worked for enough years to be able to build up a full state pension. When women ask for predictions of the pension that they will receive at 60, they receive a great shock when they find out what awaits them. There are serious issues of poverty among women of retirement age.

Unfortunately, we cannot escape the fact that the majority of the solutions to issues of equal pay,

quality of work, status and retirement relate to reserved matters. Until we address that properly in the Parliament and get the powers that we need, we cannot really change things, even with the greatest will in the world—and there are good and sincere people sitting on the other parties' benches who have the cause at heart. What has been done to address sexual assaults against women is commendable and should not be disregarded, but the issues of women who are in poverty, downgraded and in lower-paid jobs can be addressed only when this Parliament has powers over tax, national insurance, pensions and benefits.

15:39

Mr Brian Monteith (Mid Scotland and Fife) (Con): I had no intention of making any interjection during Christine Grahame's speech, although after hearing the end of it, I say to her that it is entirely possible for men or women to change some of the matters that she raised; they can be changed at Westminster. There is no shame in members of the Scottish National Party standing for, and becoming members of, the Westminster Parliament. Some women members of the SNP have been successful in going to Westminster to deal with those sorts of issues. Let us not pretend that the issues cannot be dealt with by Scottish men and women. The avenues are there.

When I thought of speaking in the debate, and was deciding how to approach it, the phrase "first among equals" came to my mind. I say that because, according to some in today's Scotland—and the view is held in many other countries—the only way for women to get on in professional or political life is through some form of positive discrimination. I hope that people would agree with me that that is not the route that should be taken. Indeed, as we look at the Labour benches, we are aware that Labour introduced, but has since abolished, the approach of affirmative action.

Ms Curran: We have not abolished it.

Mr Monteith: Oh, well perhaps some more reform is still needed. Labour's approach was to make a forced attempt to ensure that equal numbers of men and women came forward in winnable seats. I am happy to give way to Rhona Brankin, who is a fine example.

Rhona Brankin (Midlothian) (Lab): Thank you—I am delighted to hear Brian Monteith say that. If the Tories believe that affirmative action is not necessary and that women of ability can get into positions in parties, why does the Conservative party patently have so few women of ability?

Mr Monteith: The point is that we should measure the ability of women as opposed to the quantity of women. I will touch on that later. I point out that I am fully aware that Rhona Brankin was selected for Midlothian, which was chosen as a woman's seat, and that Labour members such as Robert McLean—a well-known activist in the area and somebody who fought for this Parliament—found that they could not stand for selection in the place of their upbringing, which, for Robert McLean, was Bonnyrigg. The policy clearly suggests that elections were being rigged. However, I happen to believe that all the Labour women here are here on merit; surely nobody would disagree with me.

Men and women are and should be treated as equal under the law. From that point on, it is up to people to make their own life choices. If it is wrong to rule a woman out of a job on the basis of her gender, so too must it be wrong to rule a man out for the same reason.

Carolyn Leckie: If it is all down to choice, women are a lot cleverer than Mr Monteith gives them credit for. They are clearly not choosing to be members on the Tory benches.

Mr Monteith: An interesting aspect of this debate is the way in which so many women feel that they have to get up and say that we are all equal and should be equal, but then, in their speeches or interventions, try to argue that women are better than men.

I want to respond to some of the points that have been made, and to draw to members' attention the success of women such as Nancy Astor, the first woman member of Parliament. She represented Plymouth Sutton from 1919 to 1945. By 1922, there were two further additions—Mabel Philipson, who represented Berwick-upon-Tweed, and Scotland's first Conservative woman MP, Katharine Stewart-Murray, who represented Perth and Kinross. Of course, in the not too distant past, Margaret Thatcher became the first woman Prime Minister of the United Kingdom. She is the only woman to have achieved that position. At the same time, she had the distinction of being the only man in the Cabinet.

I close now, Presiding Officer, as I feel that members will have caught the drift of what I am saying.

15:44

Shiona Baird (North East Scotland) (Green): To return to the subject, I very much welcome the publication of the report that we are discussing—although with a tinge of sadness. I commend the members of the strategic group on women for their dedication and hard work in producing it. The report quite rightly points to evidence that

inequality between men and women is a persistent feature of contemporary Scottish society. In particular, the evidence demonstrates that women are still more likely to be in low-paid, part-time work than are men. Despite increasing involvement in paid work, women continue to be responsible for most unpaid caring and domestic work in the home.

I am sad about the length of the report, as it indicates how slow progress has been since the wonderful days in the 1960s, when the liberation of women and the rise in feminism were so exciting and stimulating. As young female students in the 1960s, we felt that the world was changing and, when the Equal Pay Act 1970 was introduced, we felt that we had arrived. However, change is so slow, as is indicated by the variety of issues in the report that still require action.

I will highlight a couple of the points. Gender budgeting, a subject that I must admit I knew nothing about until I came to the Parliament, has been investigated at great length in the Equal Opportunities Committee. It has revealed the way in which budgets, and economic policies in general, often put women at a disadvantage. We need to support the work of the Scottish women's budget group, and the Executive's equality unit, which have demonstrated a commitment to investigate the gender impact of the Scottish budget through equality proofing. Unfortunately, the Parliament has failed at the first hurdle by not ensuring nursery provision at the new Scottish Parliament building for MSPs and staff. That was dropped from the allocation of resources—a situation that is unacceptable if the Parliament is serious about mainstreaming equality. In fact, action point 5 in the report encourages employers' support for child care in workplaces and specifically mentions workplace crèches.

The report also highlights enterprise and lifelong learning as an area in which there is considerable evidence of the different needs of men and women in respect of enterprise development and training. However, there is no evident gender analysis, either in the objectives or in the resource allocation. The Scottish Executive must act upon that finding.

Valuing women's unpaid work, and rewarding their paid work equally with that of men, are important aspects of tackling gender inequalities. The report recognises that. Recent work-life balance initiatives have shown that both sexes benefit from greater involvement in caring, more flexible hours and a balance of employment throughout the lifetime. Initiatives for paid work are very much welcome, but women need to be presented with choices. For example, we need to ensure that single parents, the majority of whom are women, are not unfairly coerced into

employment. We need to value the work of child rearing, in particular valuing and supporting caring for children at home. Giving either parent the choice to stay at home to care for their young children is as important as ensuring that nursery nurses are truly valued in their work. I agree with Nanette Milne that choice and flexibility are the key.

There is an extensive agenda for action in the report. Much of what is in the report is necessary to achieve a more equal and just society for all women. I hope that we can rely on a commitment from the Executive to act on the recommendations in the report. It would be a travesty and a missed opportunity if a Parliament in which almost 40 per cent of the members are women did not act on the agenda for action outlined in the report.

15:49

Marlyn Glen (North East Scotland) (Lab): I welcome the opportunity to speak in the debate and the opportunity that the debate gives the Parliament to continue its high profile for equal opportunities.

The report of the strategic group on women focuses on key areas that are, unfortunately, only too familiar and, in fact, are neatly encapsulated in the nursery nurses' campaign. I welcome the decision made by Parliament on 11 March on low pay in respect of nursery nurses, but I urge the Executive to confirm that there will be an independent review, which would facilitate the settlement of the dispute.

The focus of the report includes poverty, equal pay, child care, job opportunities and the gender segregation of jobs. It underlines the pressing need for what is seen as women's work to be fully valued and rewarded, as well as supported through adequate child care provision and flexible working arrangements.

I do not have enough time to run through all the issues that the report covers, but I mention and press the recommendations for the Scottish Executive to set up a short-life working group on gender issues in schools and for more mentoring schemes. I commend the National Assembly for Wales for its scheme of apprenticeships for public bodies, which I hope the Equal Opportunities Committee will consider. I also welcome the call for the Scottish Executive to work with political parties to increase women's representation, particularly given the window of opportunity that is afforded by the Sex Discrimination (Election Candidates) Act 2002, which allows parties, if they so wish, to adopt positive measures in selecting candidates. I look forward to all parties taking such measures so that we see a difference in the Parliament.

Given that Amnesty International has this month launched its campaign to stop violence against women, I press the minister, in the words of the report, to

"maintain the momentum already achieved on tackling domestic abuse against women".

As part of the consultation on hate crime, it is essential that the Executive considers whether assaults on the basis of gender, disability, age and sexual orientation should be treated as aggravated assault. We can influence those decisions and I urge organisations to take part in the consultation.

I add an extra plea about auditing. Whether we are concerned with public appointments, elected positions, jobs or service users, a comprehensive audit is required. I urge the Executive to commit to publishing an annual digest of statistics on women and men in Scotland, which would enable us to measure progress on equal pay against low pay and on other issues of gender inequality. The Engender gender audit, which was published from 1993 to 2000, made information available in an accessible way and was a crucial tool in campaigning for gender equality. Engender stopped that work on the understanding that statistics would be produced to allow a careful measure of the progress towards gender equality. The Scottish Executive was to produce those statistics regularly as part of the equalities strategy. We need regular information that enables change in gender equality to be monitored. The report sets out clearly how that monitoring, research and evaluation can and should be done.

The report also asks the Parliament to consider the creation of a mechanism to monitor the mainstreaming of gender issues in all committee business. We urgently need to work out and put in place such a mechanism. I realise that checks are in place at present, but a letter from the convener of the Equal Opportunities Committee is not a robust enough measure and is too much like a gentle reminder to embed mainstreaming into committee business, although I know that committee conveners take such checks seriously. The report must be taken into account in the Equal Opportunities Committee's work plan. I look forward to that happening.

I understand that the equality proofing budget and policy advisory group, which has been mentioned, is working towards making the budget gender responsive. I welcome and support that work, the importance of which cannot be overestimated. However, I have a difficulty with the contrast between the urgency of the report and the more long-term and patient approach of the advisory group and the Executive. Change cannot happen overnight and neither devolution nor independence will bring change in itself. I urge the minister and the Executive to give the report

careful consideration and to act on its recommendations.

15:53

Carolyn Leckie (Central Scotland) (SSP): The motion states that there should be

“greater recognition of the contribution women make through paid and unpaid work to the economic and social well-being of the country.”

This week, like last week, we have an opportunity to make a tangible and immediate difference by supporting Shona Robison’s amendment. Nursery nurses do paid and unpaid work and go above and beyond the call of duty. Fröbel, an early education pioneer, stated that the earliest age is the most important one for education because the beginning decides the manner of progress and the end. If the beginning is the most important stage, why are the people who contribute to that stage the least rewarded? The answer is that they are women. Nursery nurses work alongside teachers with the same guidelines, standards and national documents. They plan, programme and assess. Why can they not be paid nationally like teachers, with whom they work in partnership?

In her speech, Margaret Curran referred to international women’s day. When we celebrate that day, we always refer to historical examples. How will history judge the happenings in the Scottish Parliament last week? Did what happened move women forward or was it a step backwards? Was it the difference between substance and aspiration?

The situation of chefs in the national health service is similar, as again they are predominantly women. The Executive is in a position to do something about the problem, but again it chooses to sit on the fence. The Executive opts out of taking a view or providing a lead in shattering what is an obvious inequality.

We are now in the third week of all-out action. I am interested and extremely confused by a quote that I found in an issue of the *Wishaw Press*, in which Karen Whitefield is quoted as saying:

“The Executive motion clearly states the need for a national settlement.”

In fact, she is referring to the Executive’s amendment to my motion in the debate on nursery nurses last week. Clearly, that was not Euan Robson’s view in the response that he gave to a question from Karen Gillon. Is Margaret Curran’s view that the Executive amendment to my motion last week represented the need for agreement on a national settlement? I do not believe that that is the case. The nursery nurses did not believe it. Indeed, they are still on strike, one week later.

If the Executive amendment offered a way forward, as Johann Lamont said that it did in the

speech that she made, why are the nursery nurses still on strike and why are we not any further forward? Jack McConnell continues to say that it is not appropriate for him to comment during a dispute. When is it appropriate for him to do so and when will we get a resolution?

It is clear that something happened during the debate last week when Karen Gillon put Euan Robson on the spot. It is clear that there was a belief that there would be a review. I do not know whether the belief was that there would be a review before or after the strike is settled. Clearly, Euan Robson did not give Karen Gillon the right answer, which is why Johann Lamont changed her position from the one that she took during her speech, when she said that she thought that the Executive amendment offered a way forward. She later chose to vote against the Executive at decision time, which was the right decision.

The only judgment we can make of the Executive is whether we believe seriously that we are to support a situation in which it says, in effect, that the strike must end and that nursery nurses must negotiate locally on the basis of a promise that is more obscure than the most difficult of cryptic crosswords. Is the Executive seriously suggesting that the nursery nurses should go back to work on the basis of a hidden promise of a possible review, which was denied by the Deputy Minister for Education and Young People?

Rhona Brankin: Will the member give way.

The Deputy Presiding Officer: The member is in her last minute.

Carolyn Leckie: I am sorry. I would have taken the intervention, but I cannot.

I want to ask Margaret Curran a specific question. What is her position? Does she agree that the Convention of Scottish Local Authorities should sit down at national negotiations to resolve the dispute? That is the issue and we need a clear answer. Is it to be yes or no?

If the Executive amendment offered a way forward, why are we no further forward? I do not care who was the first to declare their support for the nursery nurses. I also do not care who said what, when. The opportunity exists for us to be united in support of the nursery nurses’ position and to achieve a settlement to the dispute. I welcome everybody to come together—no matter when—to do the right thing.

15:58

Rob Gibson (Highlands and Islands) (SNP): In this week of international women’s day, we recognise that the context of giving women more power and liberating women to take a full place in our society is one of the things that the way in

which we organise our legislatures and the many different parts of our lives must achieve.

I was interested to read yesterday in *The Herald* about a big idea: to ban men from power.

Johann Lamont: Hear, hear.

Rob Gibson: Thank you, Johann—I thought that that might get a response.

Johann Lamont: I thought about intervening slightly earlier when Rob Gibson talked about “giving” women power. The reality of women’s history is that women have taken power; they have been in power to make change for themselves. It is great that we have a Scottish Parliament that recognises the importance of listening to women’s voices.

Rob Gibson: I hope that all of us would vote for that. In other words, I hope that all of us vote for the extra powers that are needed. As legislators, we have the power to do that—even the men among us.

In countries that have more female members in their legislatures, there is less of a propensity towards international violence. The very low level of women members in the United Kingdom and United States legislatures suggests a reason for those countries’ tendency to be more violent.

I wish to focus on one aspect of the liberation of women that has allowed them to have a far greater say in all democratic processes. With the single transferable vote in multimember constituencies, which could bring many different people into local government, it will not be a committee that chooses who will be at the top of the list; it will be up to the electorate to do so, using an open list—we hope. At least, that is how I view STV and multimember seats. It is an interesting prospect. So many women who are active in organisations in local communities would then get the recognition that they cannot get when they hit the glass ceiling over the smoke-filled rooms of party organisations. Such a change is a means of freeing up the jobs that women can do for the better of society and is one of the most practical ways in which the Parliament can take things forward. I hope that members realise that a lot hangs on that.

Given the difficulties around finding child care and so on, we need also to think about the fact that people who take up representative positions, such as councillors, must be properly paid and looked after. Crèches and other facilities must be made available at councils. Those are the blocks on which a far greater percentage of women in such positions may be secured.

I hope that, when the Parliament has full powers, we will also have a far less aggressive Parliament. I think that a lot of the aggression in

here relates to the fact that we have very limited powers. We end up arguing over miniscule parts of what could be changed, rather than about the whole thing. Take poverty and social exclusion. We can deal with education, training, lifelong learning, child care, economic regeneration and so on in Scotland, but taxation, pensions, benefits, the national minimum wage, employment and equal opportunities legislation are reserved. How can we possibly deal with the full picture if we continually have to refer to another place? We must get things integrated.

In the north of Scotland, where I come from, many women are involved in organisations in the arts movement, including the fèis. Many community organisations are run by women. That suggests to me that it is high time that we made it possible for many more women, be they in towns or in the countryside, to get the recognition for running housing co-operatives, food co-operatives, credit unions and so on. We need to clear the way for them to get the power and responsibility that councils and the Parliament can give. It is all very well being positively discriminatory, but there are some basic changes to the law and the democratic system that we can effect over the next three years.

16:03

Karen Whitefield (Airdrie and Shotts) (Lab): I regret that the amendment lodged in my name was not accepted for debate. It is essential that we remain focused on the broader issues relating to women in Scotland, in particular the need to address low pay for women throughout Scotland.

I came to the Parliament to change Scotland for the better and to change the lives of people in my constituency for the better. I am determined not to lie to the people who sent me here by telling them that I can sort out things that do not lie within the remit or powers of this Parliament. It is not my job to do those things. It is the job of people in local government and Westminster to sort out such matters; it is my job to sort out the issues for which MSPs are responsible. We do a great disservice to low-paid women workers if we shirk our duty and tell them that, simply if we talk about their pay claims, they will get the rewards that they deserve.

Just look around the chamber. Although we are far from being low paid, there would be nowhere near as many women in the Parliament if the Labour Party had not committed itself to and implemented a policy of 50:50. Perhaps Mr Monteith should not be quite so cynical. Perhaps if the Conservatives came with us on this battle, they would get more Margaret Thatchers. We might not like that—it might mean that we would have to coalesce—but perhaps it would allow the Conservatives to get some talent into their party.

Mr Monteith rose—

Karen Whitefield: I will not take an intervention.

Shona Robison's amendment does nothing to advance the case of Scotland's nursery nurses. As the First Minister stated today, the nursery nurses' dispute must be resolved by the employers and the trade unions getting back around the table.

Carolyn Leckie: Will the member take an intervention?

Karen Whitefield: No.

Shona Robison either was not listening or was not willing—

Shona Robison: Will the member give way?

Karen Whitefield: No. I am not going to take an intervention.

The Deputy Presiding Officer: The member is not taking an intervention.

Karen Whitefield: It is misleading to tell the nursery nurses that we can sort out the dispute. Yes, nursery nurses play a vital part in the education of our children and, yes, they have a strong case for greater recognition, which I am happy to support—indeed, I supported the nursery nurses in my constituency on the picket line on Friday morning. However, perhaps Shona Robison and Carolyn Leckie would do those same nursery nurses a greater service by working with them to lobby the Convention of Scottish Local Authorities.

Carolyn Leckie: I have been on more picket lines than Karen Whitefield has and I addressed a mass meeting of North Lanarkshire nursery nurses on Monday. Karen Whitefield has completely contradicted herself. She claims in the *Wishaw Press* that she is doing everything that she can to achieve a national settlement, yet she stands up here saying that there is nothing that we can do. What is her position?

Karen Whitefield: That is exactly what I am not saying. Carolyn Leckie said earlier that she did not care who joined the campaign, as long as we were all campaigning. The reality is that I am on the side of the nursery nurses and so are my colleagues on the Labour benches.

Carolyn Leckie: Are they supporting them by voting against them?

The Deputy Presiding Officer: You should not be shouting from a sedentary position, Ms Leckie.

Karen Whitefield: We are not going to mislead the nursery nurses. Perhaps Carolyn Leckie would do them a greater service by giving them good advice.

As well as nursery nurses, there are many other low-paid workers throughout Scotland. In the

debate today, we must also address the wider issues that are highlighted in the report of the strategic group on women. We should address the concerns of low-paid shop workers, hospital and ancillary staff, home care workers and home helps, to name just a few. The report highlights the need for all agencies—not just the Scottish Executive and the Scottish Parliament, but local government, trade unions, private employers and the Equal Opportunities Commission—to play a part in improving the position of women in Scotland.

The report shows that, although there have been major gains in the relative pay of women, much more needs to be done to redress the balance between men's pay and women's pay. It also highlights the need to challenge gender stereotyping in employment and to encourage women into jobs that have traditionally been male dominated. I particularly welcome the steps that are being taken to address gender inequalities in schools. That is the most effective place to begin to tackle the problem—at its roots.

The Executive is playing its part in driving forward the agenda of promoting women in Scotland. It is vital that the other major public sector employers work together to ensure that women are valued in the work force and that their rate of pay reflects the excellent job that they do. That should include ensuring that, to reflect Scottish society, more women serve on the boards of quangos. I urge all members to support the motion, to face up to tackling the need for gender equality throughout Scotland for all workers and to ensure that all public sector employers do everything in their power to improve the rights of women.

16:09

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Given that this is a wind-up speech, I will be naming members, which I hope will not encourage them all to seek to intervene—if they do, I will have no time at all.

This is an important debate and I stress again that it is taking place in a Parliament of which 40 per cent of the members are women—an increase on the figure in 1999. However, that is still not good enough. Although we are starting from a much higher base than others are, there still needs to be progress.

Rhona Brankin: Will the member take an intervention?

Jeremy Purvis: I will address the Liberal Democrat record in a moment—perhaps that means that Rhona Brankin will not intervene now.

When I visited Peebles High School recently, a female pupil asked me what is being done to

attract people from ethnic minorities to stand for election. This Parliament has an even worse record on that matter; we have a target of a 50:50 ratio of women to men, but we must do a lot more to make it more attractive for ethnic minorities as well as women to stand for election in national politics.

As far as the Liberal Democrats are concerned, we have a better record in local government and we have touched—

Cathy Peattie: Did I hear the wonderful news that the member's party has a policy of 50:50 representation in the Parliament?

Jeremy Purvis: No. I said that that is the ambition of this Parliament and all parties in it surely share that ambition. The differences are about the mechanism by which we bring that about.

As I said, the Liberal Democrats have a better record in local government, but we must all make national politics—including through national political reporting in the media—more attractive to women and to people from ethnic minorities.

This is an important debate for my constituency. Shona Robison challenged us about what the Parliament and the Executive are doing to make a difference. Nanette Milne argued, rightly, that women are an integral part of the economy and that economic growth provides greater opportunities for everyone in society. I am proud to say that I represent a constituency that has the highest number of business start-ups by women in Scotland. The level of entrepreneurialism by women is high, as is the educational attainment of girls in all schools in the Borders. Cathy Peattie eloquently and powerfully argued that professional opportunities must exist for women in the private sector as well as in the public sector. That is a real challenge for civil society.

After I was elected, the first question that I asked in the Parliament concerned the gender pay gap in the Borders. In countless meetings, I put pressure on Scottish Enterprise Borders to identify the reasons for that gap—there are many such reasons, some of which have been raised in this afternoon's debate—and to provide reliable and robust data on the issue.

Both Shona Robison and Christine Grahame, who has come back into the chamber, said that MSPs cannot do anything about the matter. Brian Monteith rightly suggested that MPs should take action. Of course, the most effective course is for MSPs and MPs to work together. Following the Low Pay Commission's recommendations, the UK Government raised the minimum wage and introduced a young person's minimum wage, which is welcome. As part of the inquiry, Archy Kirkwood MP, Michael Moore MP, Euan Robson

and I, representing the Borders, invited the Low Pay Commission to visit the Borders—it was the first time that it had been to the south of Scotland and the Borders—and we specifically raised the gender pay gap. I have taken up the issues that came from that, such as the reliability and robustness of data, with the Deputy Minister for Communities. I hope that the Executive, working with the UK Government, will make progress in that area.

The Scottish Low Pay Unit report "Earnings and Gender in Britain and Scotland" states:

"The introduction of the national minimum wage had an extremely beneficial impact on pay equality."

It would be interesting to know whether the SNP has a view on the rate. When the SNP spokesperson sums up, perhaps we will hear not only the party's view on the national minimum wage, but what its rate would be and whether it agrees with the rate that was recommended by the Low Pay Commission and agreed by the UK Government.

In the economic history of the Borders, a high number of women have been in employment, predominantly in the textile mills, and those women were the first earners in many, if not the majority, of cases. That situation is being replaced by a reputation for entrepreneurialism and educational attainment.

I conclude by mentioning my desire, which is the same as Cathy Peattie's ambition, for women to have an equal role in the private sector as well as in the public sector. We need a public transport system that is as efficient in rural areas as it is in urban areas. Access to child care should be available in rural areas as well as in urban areas. Housing issues are as acute in rural areas as they are in urban areas. If we address those issues, we will make real progress in giving the next generation of entrepreneurs a good start.

16:14

Bill Aitken (Glasgow) (Con): This has been an interesting debate, with many interesting contributions. As Nanette Milne said, the Conservatives will support the Executive motion. It is perhaps a little churlish for the SNP to have lodged an amendment. We should all have been able to unite behind the motion because we all believe in equality for women. In particular, we should unite behind the motion because—and, if I may say so, this is uncharacteristic for a motion from the minister—it singularly lacks the usual self-congratulatory waffle.

I apologise for the absence of Mary Scanlon, who is our group's spokesperson on this issue—she cannot be with us as a result of family illness. Like the minister, Mary Scanlon is a typical

example of women who have got on. She brought up two young children on her own, held down a responsible job in education and became an MSP. The glass ceiling did not exist for her and I think that we would wish to see everyone in such a situation.

Although there are women whom, from time to time, I would quite happily see at home looking after the weans, we must recognise that such situations should no longer be tolerated. Women must be given every encouragement.

Nanette Milne took a measured and sensible approach in the debate. She pointed out that, if we are to be successful in achieving what we are all genuinely trying to achieve, which is to ensure that women have equality of opportunity, things cannot be looked at in isolation. We must look at the wider picture of the Scottish economy and how we can change it.

John Swinburne (Central Scotland) (SSCUP): Will the member take an intervention?

Bill Aitken: I am sorry, but I do not have enough time.

Donald Gorrie said that most members seem to have a little bit of paper in front of them with the good things in the Liberal manifesto. I have such a piece of paper with me—it is the size of a stamp. However, he went on to make a fair point about the inequalities that exist in relation to pensions.

Christine Grahame followed up that point. She said that many women get a bit of a shock on reaching the age of 60. That shock is not as big as the shock that one gets if one must wait until one is 65, but nevertheless there is an issue that the Westminster Government should examine.

Carolyn Leckie: I am sure that Bill Aitken was being deliberately provocative when he spoke about women staying at home to look after the weans. Perhaps he would like to share with members which women in the chamber he would prefer to stay at home with the weans.

Bill Aitken: For the sake of self-preservation, I will draw a discreet veil over that matter.

There were other interesting contributions to the debate. With his usual commonsense approach, Brian Monteith articulated arguments that surely could not be opposed. Carolyn Leckie was correct to point out inconsistencies in the approach of Labour members, but Rob Gibson was a bit wide of the mark. He said that countries with women in charge showed a lack of propensity for violence. Pakistan, Bangladesh, Sri Lanka and Israel have been fairly violent countries with women in charge. He really went wrong in claiming that the aggression that we sometimes see in the Parliament is basically the result of Parliament's limited powers. That argument seems to me to be

entirely spurious. It could just as easily be argued that the aggression in the Parliament is caused by the fact that there are so many women in it, but I would certainly never advance that argument, would I? Rob Gibson was well off the mark in that respect.

Karen Whitefield did well to underline the Parliament's powers and responsibilities. She suggested that, if we looked at our situation, we could have more Margaret Thatchers. There was some apoplexy on the front bench at that point, but her point was well made.

What are we trying to achieve in the debate? To an extent, we have achieved what we wanted to achieve because, despite what some members have said and my tongue-in-cheek approach, we are all basically aiming at the same target. Long before it became politically sexy or politically correct to be so, the Conservatives—and I in particular; I have the record to prove it—were in favour of equal opportunities for women. Such opportunities exist now and long may they exist—may we eventually end up with a state of affairs in which even those on the other political side admit that they can now be more relaxed about the situation.

16:19

Linda Fabiani (Central Scotland) (SNP): I do not think so, Bill.

In general, the debate has covered three themes. The first theme relates to celebrating the achievement of women. Cathy Peattie eloquently did that, as did Rob Gibson, from a different angle. Indeed, I will clarify what Rob Gibson said. He said that legislatures with a greater proportion of women have been proven to have less propensity for violent action. That is a different matter from the aberrations that sometimes lead Governments, which we all know about in this country. The second theme is how we should move forward. That has been the main thrust of the Executive contributions to the debate. The third theme is the nursery nurses. I will concentrate on the second and third themes.

The report asks for a single equalities body and states that such a body would need as much devolution of authority as possible if it was to make any difference. I am afraid that I am of the view that, as other members have said, we will not be able to achieve much without the right levers of power. We can all try, and I have no doubt that all members want to try—I have seen evidence of that during the almost five years in which I have been in the Parliament—but that is just not enough. As proof of that, I cite the fact that, 30 years after equal pay legislation was introduced, we still have a pay gap. We still have a long way

to go. If even legislation cannot enforce equal opportunity, how are we going to get on with it? All that we can do is promote it.

Jeremy Purvis: Notwithstanding the fact that the national minimum wage is a reserved matter, does the SNP have a view on the rate for it?

Linda Fabiani: The member seems to be determined to tease that out of us—I do not know why. Yes, we have a rate: it is half the male median earnings. That raises another issue. The Scottish Parliament cannot even decide what the minimum wage will be in this country—that is exactly the point that I am making. An action point in the report calls for a strategic plan for the reduction of the gender pay gap. How on earth will we achieve that without the powers to do so? Brian Monteith says that MPs at Westminster can do that for us. I am sorry, but I have not seen them bothering their shirts about it for an awful long time.

On the third issue that has been raised today—nursery nurses—the SNP amendment very much ties in with the issues that are raised in the motion. All that our amendment asks is that,

“in recognition of the problem of low pay for many Scottish women,”

we agree

“that Scotland’s nursery nurses have a just claim for a fair, nationally negotiated settlement to their current dispute.”

Huge efforts were made to avoid a situation in which members might have to vote against the SNP amendment, which, after all, is only about a just claim. Labour members wanted to lodge a plethora of amendments to the amendment. I have read and reread Karen Whitefield’s amendment to the SNP amendment, but I still do not know what the heck it means. It says that we should encourage

“local authorities, NHS Scotland and other public sector employers to consider specific strategies to tackle the concentration of women in the lowest paid areas of work and to ensure equal pay for work of equal value.”

It does not mention the nursery nurses; it asks us to encourage people to consider things. That is a bit woolly. I would like it to tell the Parliament to get on with it and to take some action. The position is very confused.

At least I understand the amendment to the SNP amendment that Cathy Peattie wanted to be selected today. It asks the Parliament to note that the First Minister said today that

“at the right time, there will be a case for a national review”.

However, when is the right time? Marlyn Glen and Cathy Peattie say that they believe in an independent review, but last week Euan Robson said that such a review would not happen. When

is the right time? Surely it is when we are all here, discussing the report “Improving the Position of Women in Scotland: An Agenda for Action”—I stress that the report is about an agenda for action, not an agenda for encouraging people to consider strategies.

Today, we are banging drums for women and showing off our equality credentials. We have accepted the findings of the report. Why cannot we just agree that the nursery nurses, who play such an important part in our society and are so undervalued, have a just claim? I urge members to support the SNP amendment.

16:24

The Deputy Minister for Communities (Mrs Mary Mulligan): The report by the strategic group on women that we have been debating this afternoon presents a fair balance. Although it celebrates the enormous advances that women in Scotland have made over the past century, it also seeks to remind us of the gap that remains between men and women with regard to income, opportunities, power and influence. The minister and I thank those who worked so hard to produce the report, which has allowed us to have this helpful debate.

I will address a number of issues that members have raised. Maureen Macmillan, who unfortunately has left the chamber, highlighted a problem with a project in her constituency. I hope that I can reassure her by telling the chamber that, this morning, the minister announced funding for eight projects throughout Scotland, including the women at work project in the Highlands. Women in the Highlands will be celebrating that good news.

Some members put a negative spin on the issues under debate. Unfortunately, Shona Robison’s amendment sought to shift our focus away from the general issue of the promotion of women to a specific matter. Although she made a pertinent point about the gender pay gap, we must all ensure that we keep up to date with our figures. In the past 12 months, the gap has narrowed by 3 percentage points to 16 per cent. However, I have to say that we are still not happy with that.

As for pay reviews, I should point out that all Scottish public sector employers who are covered by the new best-value regime—including the Executive, its agencies, many non-departmental public bodies and all local authorities—must be able to demonstrate that measures are in place to encourage observance of equal opportunities requirements, including those that relate to the Equal Pay Act 1970. The Executive intends to work with the Equal Opportunities Commission, the STUC and others to encourage the public

sector and private businesses to carry out pay reviews and to address pay gap issues.

Donald Gorrie highlighted the issue of older women who paid the small stamp, which I suppose leads me into reserved areas. I suggest to Mr Gorrie that the Westminster Government's introduction of the minimum pension guarantee goes some way towards addressing the matter of income for people in that situation.

In her speech, Christine Grahame spoke as though nothing was happening just because it was happening at Westminster, not in this Parliament. In fact, just as the minimum pension guarantee was introduced to provide for older people, we must remember the introduction of the minimum wage, which was increased in yesterday's budget. I also remind members that, although the Conservatives opposed the introduction of the minimum wage, which benefits many low-paid women, the SNP did not even turn up to vote for it. That is a measure of how seriously they take the issue of low pay.

Stewart Stevenson (Banff and Buchan) (SNP): Will the minister specify the vote for which the SNP did not turn up? We certainly voted for the measure in the House of Commons at the appropriate time.

Mrs Mulligan: Stewart Stevenson knows as well as I do the vote to which I was referring.

Stewart Stevenson: The minister should check her records.

Mrs Mulligan: Mr Stevenson should check his own records.

Marlyn Glen referred to gender issues in schools and mentoring schemes. It is important that we continue to maintain and build on the momentum that has been established, particularly in relation to policies on violence against women. The report cannot be left to stand on its own and we will continue to consider its recommendations. The report challenged the Executive to produce, after further discussion, detailed recommendations for dealing with discrimination experienced by particular groups of women and for tackling multiple discrimination. We are happy to take up that challenge and the minister and I, with officials, intend to engage in that dialogue soon.

As the minister said in her opening speech, many of the report's recommendations relate to issues of which we are aware. They urge the Executive and others to maintain the momentum in what we are doing to improve the position of women in Scotland. Many recommendations ask us to do more, particularly in the area of employment. Those will be a greater challenge for us, particularly the ones that rely on our influencing others and persuading them to act. However, we will accept that challenge.

Carolyn Leckie: Will the minister take an intervention?

Mrs Mulligan: No. I am in my last minute.

Our debate has been an opportunity to acknowledge international women's day, which took place last week, on 8 March. The 150 women who attended the Executive-hosted event in Glasgow to celebrate the day heard from the minister about continuing and planned work to promote the women's agenda. That news was generally well received. Many said that they were inspired to go back to their organisations to do better and to get more involved. Let us hope that, at next year's event, we can reward their enthusiasm and efforts in their local communities by demonstrating a real move forward with the strategic group on women's agenda for action.

Justice (Northern Ireland) Bill

The Deputy Presiding Officer (Murray Tosh):

The next item of business is a debate on motion S2M-936, in the name of Cathy Jamieson, on the Justice (Northern Ireland) Bill, which is United Kingdom legislation.

16:32

The Deputy Minister for Justice (Hugh Henry): We are asked to agree that an amendment should be made to the Justice (Northern Ireland) Bill to provide for the compulsory transfer of prisoners from Northern Ireland and that that amendment should be considered by the United Kingdom Parliament.

It is right that, in our jurisdiction, we should be able to play a part in the peace process, if required. However, I emphasise to members that the power that is sought would be reserved and would be used only in exceptional circumstances when all other options open to the Northern Ireland Prison Service had been tried. The Minister for Justice, Cathy Jamieson, has made it clear that the power would be considered only in one or two cases. She also has the right to refuse a transfer of prisoners. Further, if it was felt appropriate, after a transfer had been agreed, that the prisoners should be transferred back to the Northern Ireland jurisdiction, that would be done at the minister's request.

It is appropriate that we consider the Sewel mechanism for the measure. I do not believe that we need a full parliamentary bill to consider a measure that might never be used and which might be used in only one or two circumstances. We have many important issues to consider in the Parliament and I believe that the Sewel mechanism is appropriate in this case. I hope that all members will show their commitment to the peace process and agree that, if the measure is required in exceptional circumstances and poses no threat to the security and stability of our prison service, we are prepared to consider the transfer of prisoners as stated.

I move,

That the Parliament agrees that an amendment should be made to the Justice (Northern Ireland) Bill to provide for the compulsory transfer of prisoners from Northern Ireland to Scotland and that this should be considered by the UK Parliament.

16:34

Michael Matheson (Central Scotland) (SNP):

The Justice (Northern Ireland) Bill was originally intended to give the Secretary of State for Northern Ireland the power to make orders for the compulsory transfer of prisoners to prisons in

England and Wales in order to maintain security and good order in the prisons in Northern Ireland. Only at a late stage in the consideration of the bill did the Secretary of State for Northern Ireland seek to extend its provisions to include the transfer of prisoners to prisons in Scotland.

Ministers have stated that the new compulsory transfer powers are required to assist in the maintaining of good order in Northern Ireland's prison estate and to assist with the peace process. If the Parliament can play a role in assisting the peace process, we should consider that in open debate rather than railroad it through in the form of a Sewel motion.

I will deal with some of the issues that were highlighted in the Justice 1 Committee's report. Clause 12 of the Justice (Northern Ireland) Bill provides for the Secretary of State for Northern Ireland to make an order for the transfer of a prisoner to Scotland. The Deputy Minister for Justice stated, in his evidence to the committee, that the Scottish Executive would retain an absolute right to veto such a transfer; the minister has restated that position this afternoon. However, the committee was correct to point out in its report that no such right is included in the bill's provisions. The minister informed the committee that the Executive would have the right to require the return of a prisoner to Northern Ireland's jurisdiction at any time; again, he has restated that position this afternoon. As the committee pointed out, that right is not expressed in the bill.

The minister's explanation was that the right to veto a transfer and the right to have a prisoner transferred back to Northern Ireland are dealt with in the memorandum of understanding that accompanies the bill, which is in draft form. However, it is one thing to have a memorandum of understanding and another to have a right that is expressed in the legislation. If the Executive believes that it should hold such rights, why should they not be included in the bill?

The Executive's policy memorandum states that the bill would have no financial effect, because any transferred prisoners would be managed within the existing Scottish Prison Service budget. Over recent years, the SPS has done considerable work on the average cost of a prisoner place in Scotland. The Executive's recent document on rehabilitation in the prison system stated that the average cost for a prisoner place for six months was around £15,000. Given that the prisoners from Northern Ireland will be additional to the Scottish prison population, as the committee stated in its report, it is inevitable that additional costs will arise. I hope that the minister will take on board the committee's recommendation that the situation should be monitored closely.

I return to the issue of whether the Sewel procedure is the most appropriate way of dealing with matters that fall within the competence of this Parliament. Whatever arguments the Executive makes in favour of Sewel motions, it remains the case that, when we allow Westminster to legislate on devolved matters, our opportunity to scrutinise is constrained and not as full as it would be if the Scottish Parliament were to consider the legislation in detail. Our objection is not about the substance of the bill, but about the process that is being used to present it to the Parliament. On that basis, we will not vote in favour of the Sewel motion.

16:38

Phil Gallie (South of Scotland) (Con): Overall, Conservatives do not support the detail of the Justice (Northern Ireland) Bill, because we feel that it contains an element of appeasement, which has led to a situation in which a sister organisation—the Northern Ireland Assembly—lies dormant. It is my understanding that, mainly for that reason, Conservative and Unionists at Westminster will vote against the bill on its second reading. However, they will not oppose—nor should they—prisoner transfer within the United Kingdom.

Scotland, Wales, Northern Ireland and England are bonded together within the union. Over the centuries, we have stood firm together, with great success, against external threat. On terrorist activity and the stand against terrorism internally, our bonds should be tightened. If, at any time, we in Scotland can help to alleviate particular pressures on Northern Ireland and the Ulster prison service, we should be prepared to do so.

The Sewel motion seeks to allow for a change that, if implemented, would have an effect on the operation of the SPS. It appears that legislative adjustment is needed to make that change. By using a Sewel motion, we can facilitate that change through a one-off piece of UK legislation, thereby simplifying the legislative process, as the minister suggested. An added benefit would be a reduction in the civil service effort that is needed to progress such legislation. Topically, perhaps, that falls into line with the wider aspirations that one of Scotland's Westminster representatives—the member for Dunfermline East—expressed yesterday.

After the bill's enactment, Scottish Executive ministers will remain in control of the situation and their agreement will be necessary before transfer. For those who are entrenched in the desire to ensure that devolved powers are not eroded, that must be a comfort. I understand that the Scottish Prison Service's management is happy with the

proposals and that staff have been, and will continue to be, consulted.

In recognising the proposal's merits, I ask the minister whether an opportunity exists to extend the bill's scope. In the present difficult times, we should not close our minds to events that could transpire. A reciprocal clause that allowed reverse-direction transfers would be worth while, even if the need to use it never arose. I will take that up with my Westminster colleagues, who take a positive interest in all aspects of the bill. However, it would be more effective if Executive ministers persuaded their Westminster counterparts of the wisdom of examining the cross-transfer suggestion.

My colleagues and I will support the Sewel motion.

16:41

Mike Pringle (Edinburgh South) (LD): All of us are aware of terrorism in our society. We live in a time when tension is in our everyday lives and we never know whether that tension will break out at any place or any time. If we in the Scottish Parliament can do anything to relieve that tension, we should face that opportunity positively.

Michael Matheson suggested that the Justice 1 Committee's report was not conclusive about clause 12 of the bill. However, the minister has given several undertakings and the memorandum of understanding between the secretaries of state and the Scottish ministers is clear. There is no doubt about what the memorandum says.

Mr Stewart Maxwell (West of Scotland) (SNP): If Mike Pringle thinks that the memorandum of understanding is the basis on which a power of veto exists, will he explain what legal authority it has?

Mike Pringle: I understand that the memorandum is part of the bill.

Mr Maxwell *indicated disagreement.*

Michael Matheson *indicated disagreement.*

Mike Pringle: Members disagree, but that is my understanding. The minister has given us several assurances. I do not think that he would give those assurances unless he was clear about how the bill and the Sewel motion would work in Scotland. The minister told the committee:

"Scotland would just be a further option. We must keep stressing that we do not know whether any such requests would be made."—[*Official Report, Justice 1 Committee*, 10 March 2004; c 582.]

The minister also made it clear that we are talking about one or two people at the most.

I have spoken to my colleagues in London, who have said that they understand that some of the prisoners who are likely to be transferred from Northern Ireland to England, Wales and/or Scotland might well be under serious threat if they were kept in the prison system in Northern Ireland. Some of those prisoners might be on remand awaiting trial. Such prisoners are more likely to be transferred to Scotland, as that would give them some protection.

Cost has been mentioned and was discussed by the Justice 1 Committee. I do not understand how the cost of transferring prisoners will be more than marginal. Northern Ireland will pay for prisoners to be transferred here, for members of a prisoner's family to come here and for any costs of the legal process. The only extra cost will be extremely marginal. The prison warders and the estate already exist, so little extra cost will be incurred. We should not dwell on cost.

As I said, the bill is a positive move. The minister has given us several assurances. We are talking about a very low number of people. The Sewel motion is the right way of proceeding, because it will save the Parliament publishing a bill and taking it through three stages. It is much quicker and easier to deal with the issue by means of a Sewel motion.

16:45

Pauline McNeill (Glasgow Kelvin) (Lab): The Justice 1 Committee was asked to consider on 10 March a Sewel memorandum on the transfer of prisoners from Northern Ireland under the Justice (Northern Ireland) Bill.

The subject has received much press attention, as matters relating to Northern Ireland often do. However, that was certainly assisted by an SNP press release that claimed:

"In effect, they"—

the Executive—

"want the power to import some of the worst terrorists into Scottish jails."

That is a sensationalist way of describing the reality of the situation. Northern Ireland ministers asked specifically that Scotland be included in a provision in the bill that would fulfil a commitment made to Northern Ireland, in a review of security, that the UK would provide a small number of prison places for prisoners when the situation demanded it, although only where absolutely necessary.

Northern Ireland has only two adult prisons and capacity is tight. Because of the nature of some of the prisoners, who are segregated, managing the Northern Ireland system is a sensitive matter. In recent times, the potential for industrial action in

response to threats to prison staff by paramilitary groups has meant that the system requires some assistance.

The Justice 1 Committee, in its short report, pursued vigorously the key issues for Scotland and the Scottish prison system. Michael Matheson summarised some of those issues, but I would like to emphasise the point. Scottish ministers will be approached directly by Northern Ireland ministers should they wish to make use of this provision. Scottish ministers will assess whether we have the capacity to take any prisoners. We will be told which prisoners are to be transferred and in what circumstances. We can say that we do not want to take those prisoners and, crucially—as the committee established during debate—Scottish ministers can decide to return a prisoner if they decide that that is appropriate in the circumstances.

The committee's report mentioned the costs of any transfer and asked the Executive to consider and to continue monitoring that issue. In the short time that was available to the committee, we drew out a number of important issues.

A Scottish bill would achieve nothing that has not been achieved by the process in which we are engaged. Given the assurances that we have received—and provided that they are accurate—it is correct in this situation to agree that the Sewel procedure should be used, because nothing further would be achieved by having a specifically Scottish bill. I would not support a Sewel motion this afternoon if I thought that ministers would not have the powers that I mentioned previously.

It must be emphasised that the transfer of prisoners is a last-resort measure. I hope that it will not need to be used, but it is useful that we should play our part in the peace process to ensure that the provision is available.

Mike Pringle raised the issue of the memorandum of understanding. I understand that it does not form part of the bill, but it is an important protocol without which we would have no evidence of the assurances that we have requested.

Scotland should be involved in this important piece of legislation. Given the assurances that we have received, we should agree to the Sewel motion this evening.

16:48

Mr Stewart Maxwell (West of Scotland) (SNP): Here we are yet again—another week, another Sewel motion. Frankly, it never ceases to amaze me that certain sections of the Parliament are continually and so keenly in favour of giving up power—handing it back to London—and ensuring

that the devolution settlement for which they fought is undermined by this process.

It is welcome that the Deputy Minister for Justice appeared before the Justice 1 Committee to say that under the Justice (Northern Ireland) Bill the power of veto for a Scottish minister is absolute. He said that, but as the committee's report indicates and as is quite clear, that provision is not contained in the bill, but is in a memo of understanding. A right is not a legal power or right when it is contained in a memo of understanding, which is no more than that.

The bill states:

"If it appears to the Secretary of State that ... a person serving a sentence of imprisonment in Northern Ireland ... should be transferred to"

another part of the United Kingdom

"in the interests of maintaining security or good order in any prison in Northern Ireland, the Secretary of State may make an order for his transfer to"

that other part of the United Kingdom

"there to be remanded in custody pending his trial or, as the case may be, to serve the whole or any part of the remainder of his sentence, and for his removal to an appropriate institution there."

The bill does not say, "unless the Scottish Executive, the Scottish ministers, the First Minister or the Parliament say no". No matter what the minister said, the bill does not say that and therefore the assurance is not worth the paper that it is written on.

The Executive says that the bill will have no financial effect. Of course there will be financial effects. Michael Matheson mentioned the cost of keeping a prisoner in a Scottish prison. I agree that there are fixed costs whether or not a prisoner is held, but there are additional costs for every prisoner who is kept in the Scottish Prison Service. It does not seem right that costs should be borne by the Scottish Prison Service budget for prisoners from Northern Ireland. The Northern Ireland Prison Service should bear those costs.

The SNP wants to do everything that it can to support the peace process in Northern Ireland. However, that is no reason why we should hand over powers to Westminster yet again. There has been ample time to introduce a Scottish bill on the matter. We could have had a short and simple bill to confirm the ability to transfer prisoners, but that did not happen.

When the minister appeared before the Justice 1 Committee, I asked him when the bill was introduced at Westminster. The bill was introduced in the first week of December and completed its stages there on 10 February. The bill took two months to go through Westminster, which means that we could have done the same here. The

minister told the committee that the aim was to ensure that the legislation was passed speedily and that we did not hold it up. Given that the bill was introduced in the first week of December and that it was passed in two months, we could easily have introduced a bill and passed it in time so that there was no delay in Scotland.

I keep hearing from ministers about the relationship between the Scottish Executive and the Government in London. We hear often about the concordats, the meetings, the discussions and how the Executive and the Government work together closely, hand in hand. Surely that means that ministers did not find out on 3 December that the bill had been introduced—they knew about it well before that date. I am sure that the minister was well aware that the bill was to be introduced, so even more time was available than the months that I mentioned.

It is nonsense to suggest that we should give up powers willy-nilly, week in, week out. Phil Gallie's suggestion about transferring prisoners from Scotland was interesting. If we had a Scottish bill, we could have an open debate on that issue here and decide for ourselves whether that was a good suggestion.

Mike Pringle made the point—and Pauline McNeill made a similar point—that it was better to use a Sewel motion because doing so would not waste administrative time. The wasting of administrative time, as Mike Pringle calls it, is what I call the democratic process. Pauline McNeill said that we did not have to spend time on the matter and that we should leave it to Westminster, but that process is what I call democratic scrutiny. The idea that we should give up such scrutiny is an abdication of responsibility, the democratic process and democratic scrutiny. The Scottish Parliament was set up in order to return certain powers to Scotland, so that Scottish people could see that their representatives in the Scottish Parliament could spend time processing and scrutinising matters that affected Scotland. To give up those powers in such a weak-mannered way is nonsensical.

I reiterate that we do not object to helping the peace process and, in fact, we support it. However, we object to the mechanism that is being used to try to assist the peace process. To prove that, I point out that the SNP supported the principles of the bill in its early stages at Westminster. We support helping the Northern Ireland peace process, but we do not support the handing over of power in such a fashion.

I have a final question, which I hope that the minister will answer. To which prisons in particular would prisoners be transferred, if that were to happen? Will all prisons be considered? It seems that certain prisons are more suited to taking such

prisoners than others and I think that the communities who live near those prisons have a right to know whether their local prison is being considered to take some of the most dangerous and disruptive terrorist prisoners in the UK. Communities should be aware that that might happen in the near future.

As Michael Matheson said, we do not object to supporting the peace process. We are fully behind that, but we object to the Sewel motion and we will vote against it.

The Deputy Presiding Officer: Before I invite the minister to respond to the debate, I make the observation that I am calling him to speak slightly early. In the event that the minister does not fill the four minutes that are left to us, I will suspend the meeting, rather than take decision time early.

16:56

Hugh Henry: You need have no worries in that respect, Presiding Officer.

The Deputy Presiding Officer: Excellent.

Hugh Henry: A number of valid points have been made this afternoon. I will deal with one or two specific points and then move on to the general concepts.

Phil Gallie asked about reciprocal powers of transfer. Frankly, we do not consider such powers to be necessary. There are only two prisons in Northern Ireland, which are closed prisons. There are considerably more prisons in Scotland and in England and Wales, so if we were ever confronted with a situation in which we needed to move prisoners, we would be far better able to handle it than the Northern Ireland Prison Service would be. The scenario that Phil Gallie envisaged is unlikely, although I understand the principle that he raised.

Mike Pringle and Pauline McNeill encapsulated and reinforced the reasons for the Sewel procedure being the appropriate approach to the matter. Pauline McNeill said that a bill of the Scottish Parliament would achieve nothing that could not be achieved by the Sewel motion, other than the taking up of a considerable amount of parliamentary time and the pushing back of other work that we think is appropriate.

I wonder whether Stewart Maxwell, Michael Matheson and other members of the Scottish National Party have thought the matter through. They asked specifically about the powers in the bill. In relation to Scottish ministers' powers, the bill and the memorandum of understanding would work in exactly the same way as the Crime (Sentences) Act 1997 currently works in relation to the transfer of prisoners between Scotland and England. A memorandum of understanding supports that legislation.

Frankly, the measures in the bill cannot, could not and will not work without the specific consent that is encapsulated in the memorandum of understanding, even though that is not stated in the bill. There is no chance whatsoever, given the signed memorandum of understanding, that Cathy Jamieson, the Minister for Justice, would be forced to accept prisoners when she had concluded that that was not the right thing to do. The SNP is scaremongering and, as usual, posturing.

Phil Gallie: When Pauline McNeill was speaking, a thought crossed my mind. Given what the minister said about the powers of Scottish ministers and Northern Ireland ministers to demand the return of a prisoner, has the minister given any consideration to what would happen if a prisoner who had been transferred from Northern Ireland committed a serious misdemeanour while he was in prison in Scotland, and so might have infringed Scottish law?

Hugh Henry: I am not quite sure of the technicalities of that, but if anyone is transferred from Northern Ireland to Scotland as a result of the arrangements in the bill and we believe that they should no longer be here, they will be transferred back. If I have missed a point in relation to Phil Gallie's question, he can take it up with me separately.

Stewart Maxwell and others have raised issues about the costs of our having the prisoners here in Scotland. I will be frank: the costs of two prisoners at any one time, when considered as part of the wider Scottish prison budget, are minute. Michael Matheson was right when he said that the bulk of the costs would be fixed costs. If there were to be extra costs, Stewart Maxwell says that he believes that the Northern Ireland Prison Service should bear them. Is he suggesting that, for the variable costs of two prisoners, we should sit down and do the calculation? If the prisoners from Northern Ireland come, should we ask them, "How many Weetabix did you have today, and how much milk did you take with the Weetabix?" Should we ask those questions because we are going to send a bill to Northern Ireland, because we are going to have an accountant draw it up, because we have to verify the costs, because we are going to get a cheque sent back, and because we are going to lodge that cheque? That is the SNP's idea of proper accounting and recovery of costs. SNP members have nothing better to do than consider minutiae and trivial matters, as is their wont. The principles are far more important than worrying about the number of Rice Krispies or Weetabix that anyone consumes at a particular time. The SNP misses the whole point.

The SNP suggests that the issue could have come to the Scottish Parliament and that we could have rushed through a bill. Oh yes—we could

have rushed through a bill. But would the SNP, in its wisdom, have said that it regarded the bill as emergency legislation and that everything else should be abandoned to rush it through? I do not think so. I think that we would have heard SNP weasel words demanding full scrutiny.

Stewart Maxwell let the cat out of the bag. He wants full consultation with every community in Scotland that might have to take a prisoner who is transferred. He does not want to upset the peace process, but he wants to go to all the communities around prisons and have full debates on whether those prisoners should come over here. If he does not think that that would stoke up problems in those communities, who is he kidding? He is certainly kidding no one here.

We are dealing with this matter properly. We have given it proper consideration. We have reserved the right to say no, and we, yet again, are the ones who are behaving responsibly while the SNP postures, gestures and avoids difficult decisions.

Decision Time

17:02

The Deputy Presiding Officer (Murray Tosh):

There may be nine questions to be put as a result of today's business. However, I remind members that, in relation to this morning's debate on the abolition of the council tax, if the amendment in the name of Tavish Scott is agreed to, the amendments in the names of Brian Monteith and Mark Ballard will fall.

The first question is, that amendment S2M-1051.1, in the name of Allan Wilson, which seeks to amend motion S2M-1051, in the name of Roseanna Cunningham, on genetically modified crops, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

Cathie Craigie (Cumbernauld and Kilsyth (Lab): Presiding Officer, my card is not working. Will you allow me time to move to another voting console?

The Deputy Presiding Officer: I apologise to Cathie Craigie; I did not see her as soon as she called me. I will re-run that vote.

I will remind members of the question. The question is, that amendment S2M-1051.1, in the name of Allan Wilson, which seeks to amend motion S2M-1051, in the name of Roseanna Cunningham, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (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)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)

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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (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)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Etrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)

MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Munro, John Farquhar (Ross, Skye and Inverness West) (LD)

The Deputy Presiding Officer: The result of the division is: For 60, Against 59, Abstentions 1.

Amendment agreed to.

The Deputy Presiding Officer: The second question is, that motion S2M-1051, in the name of Roseanna Cunningham, on GM crops, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (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)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (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)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)

Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Munro, John Farquhar (Ross, Skye and Inverness West) (LD)

The Deputy Presiding Officer: The result of the division is: For 60, Against 58, Abstentions 1.

Motion, as amended, agreed to.

Resolved,

That the Parliament acknowledges that at present there is little support for commercialisation of GM crops; acknowledges the European and UK legislative framework for GM; recognises that the Scottish Executive is not permitted by EU law to impose a blanket ban or blanket approval for GM crops; understands that decisions are required on a case by case basis; welcomes the Executive's decision to reject the commercial growing of spring GM oil seed rape and beet; notes that the Executive does not have scientific evidence nor the powers to ban the cultivation of GM maize; supports the Executive's decision to seek amendment to the EU approval for Chardon LL maize to restrict its cultivation; supports the Executive's decision not to agree seed listing for Chardon LL unless and until such EU changes are made; welcomes the Executive's commitment to consult on co-existence measures that will protect farmers who wish to grow conventional or organic crops, give consumers the choice not to consume GM foods and introduce compensation and liability measures; supports the Executive's initiative with the farming industry to ensure consumer confidence and consumer choice in Scottish produce, and welcomes the continuing commitment in the Partnership Agreement to apply the precautionary principle.

The Deputy Presiding Officer: I suspect that someone's voting console did not work. Members should be aware that the light on the console tells them whether their vote has counted.

The third question is, that amendment S2M-1050.4, in the name of Tavish Scott, which seeks to amend motion S2M-1050, in the name of Fergus Ewing, on abolition of the council tax, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 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)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Etrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)

Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Deputy Presiding Officer: The result of the division is: For 77, Against 36, Abstentions 7.

Amendment agreed to.

The Deputy Presiding Officer: Amendments S2M-1050.3 and S2M-1050.2 are pre-empted.

The next question is, that S2M-1050, in the name of Fergus Ewing, on the abolition of the council tax, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Annesland) (Lab)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)

Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Deputy Presiding Officer: The result of the division is: For 78, Against 35, Abstentions 7.

Motion, as amended, agreed to.

Resolved,

That the Parliament agrees that the forthcoming independent review of local government finance should be asked to conduct a thorough examination of a range of local taxation systems, including the various proposals for an income-based system and reforms to the present

council tax system, and encourages all those who wish to make a meaningful contribution to the review to submit their proposals when called upon to do so.

The Deputy Presiding Officer: The next question is, that amendment S2M-1052.2, in the name of Shona Robison, which seeks to amend motion S2M-1052, in the name of Margaret Curran, on action to promote women in Scotland, be agreed to. Are we agreed?

Members: No

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 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)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Gillon, Karen (Clydesdale) (Lab)

The Deputy Presiding Officer: The result of the division is: For 44, Against 73, Abstentions 3.

Amendment disagreed to.

The Deputy Presiding Officer: The next question is, that motion S2M-1052, in the name of Margaret Curran, on action to promote women in Scotland, be agreed to.

Motion agreed to.

That the Parliament welcomes the publication of the report of the Strategic Group on Women, *Improving the Position of Women in Scotland: An Agenda for Action*, and urges all individuals and organisations that have an influence on the lives of women in Scotland to work together for the benefit of the whole of Scottish society, to deliver more opportunities for all women and greater recognition of the contribution women make through paid and unpaid work to the economic and social well-being of the country.

The Deputy Presiding Officer: The final question is, that motion S2M-936, in the name of Cathy Jamieson, on the Justice (Northern Ireland) Bill, which is UK legislation, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 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)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)

Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Deputy Presiding Officer: The result of the division is: For 78, Against 35, Abstentions 7.

Motion agreed to.

That the Parliament agrees that an amendment should be made to the Justice (Northern Ireland) Bill to provide for the compulsory transfer of prisoners from Northern Ireland to Scotland and that the amendment should be considered by the UK Parliament.

Bone and Joint Decade

The Deputy Presiding Officer (Trish Godman): The final item of business is a members' business debate on motion S2M-971, in the name of Rhona Brankin, on the World Health Organisation's bone and joint decade.

Motion debated,

That the Parliament welcomes the World Health Organisation's Bone and Joint Decade 2000 to 2010; recognises that musculoskeletal disorders are the most common cause of severe long-term pain and physical disability affecting hundreds of millions of people including many young people around the world; further recognises that joint diseases account for more than half of all chronic conditions in persons aged 60 years and over and that back pain is the second leading cause of sick leave, and believes that the Scottish Executive should consider how best to raise awareness of musculoskeletal disorders in Scotland such as rheumatoid arthritis and osteoarthritis, osteoporosis and ankylosing spondylitis and their impact both on people's lives and on the Scottish economy.

17:13

Rhona Brankin (Midlothian) (Lab): I am delighted to open this debate on musculoskeletal disorders. I ask members to join me in welcoming to the public gallery some remarkable women from Bonnyrigg in my constituency. Since 1996, they have raised more than £110,000 for the Arthritis Research Campaign. That is the record amount of money for the charity's shops in the United Kingdom. Those women have certainly worked hard to keep me aware of arthritis issues. I salute them; they do a wonderful job. [*Applause.*]

I lodged the motion following a meeting with the Arthritis Research Campaign, which made me think about the issue because I was staggered by the facts with which I was presented. Many members will be well informed about the statistics, but for the record, I will quote those that shocked me most. In Scotland, nearly 1.85 million people are affected by arthritis and 770,000 are currently receiving treatment. From polling evidence, we know that thousands more live with untreated arthritis, believing that nothing can be done to alleviate their pain. At £1.8 billion, the cost to the Scottish economy is huge. More than 20 million working days are lost each year. After mental health, arthritis and related disorders are the second most common cause of time off from work for men and women. The cost to the economy is enormous.

People in Scotland have the same incidence of arthritis and related disorders as the rest of the United Kingdom, but because of the lower standard of living in some areas of Scotland, our appalling levels of obesity and our higher rate of alcohol and tobacco abuse, the incidence of

arthritis in Scotland has much more severe effects and is much more life limiting.

The number of people who visit their general practitioner because of arthritis and related conditions is rising sharply. It is probable that much of that increase can be accounted for by the increase in the number of people who have osteoarthritis. As our population ages, the incidence of osteoarthritis increases. That said, one of the major causes of osteoarthritis is obesity. All of us in the chamber today are only too well aware of the scale of Scotland's obesity problem.

I would like to tackle some of the serious misconceptions that surround arthritis. I certainly had many misconceptions about the various conditions that are described loosely as arthritis. Although osteoarthritis is the most common form of arthritis, rheumatoid arthritis affects more than 33,000 Scots, another 1,000 children and teenagers suffer from a juvenile form of arthritis, 840 Scots are affected by lupus and 221,000 live with gout. Osteoporosis affects men and women. Not only does it have a huge social cost, it results in a huge cost to the national health service for treatment of fractures. Several of my colleagues will talk in more detail about osteoporosis.

There are more than 200 different types of arthritis and related conditions. I make no apology for attempting to describe the scale of the problem—it is huge. It is time for all of us to take the problem seriously, which is said to be of epidemic proportions in Scotland. I believe that the problem demands action.

We need more information. To my knowledge, there is no national system for monitoring the musculoskeletal health of the population. I also understand that GP practices do not keep registers of patients who have arthritis and related conditions. As a consequence—in marked contrast to the situation in respect of other health issues—it is difficult to get an accurate full picture of the problem, which is surprising. I would welcome the minister's comments on the scale of the problem in Scotland and on whether he is satisfied that we have a full and accurate picture.

We also need to develop a public awareness campaign. I would like to see a campaign that is similar to the see me Scotland campaign on mental health issues. For many people, arthritis is not inevitable. Although people assume that it is something that they will get as they get older, for many that is not the case. Much can be done to prevent arthritis or to stop it progressing.

I ask the minister to consider meeting stakeholders such as members of the Arthritis and Musculoskeletal Alliance and members of the Parliament who are interested in the issue to

discuss the development of an awareness-raising campaign. I would also like the minister to give me an assurance that NHS spending on arthritis and related conditions will correspond to the scale of the problem.

I hope that the debate highlights the scale of the problem, not only in Scotland but throughout the world. The World Health Organisation initiated the bone and joint decade 2000 to 2010 to raise awareness and ensure that action takes place. Its aim is to reduce the social and financial costs of musculoskeletal disorders to society; to improve prevention, diagnosis and treatment for all patients; to advance research on prevention and treatment and to empower patients to make decisions about their care. The United Kingdom has signed up to the initiative; I ask the minister to make clear Scotland's commitment to it. Let us make its aims a reality in Scotland.

17:20

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I warmly congratulate Rhona Brankin on raising what is a most important topic. I also congratulate her on the way in which she explained and expanded on the text in her motion on the World Health Organisation's bone and joint decade, which runs from 2000 to 2010. As Rhona said, there are a large number of musculoskeletal disorders, many of which she covered in her speech. Her motion points out that severe pain is a key feature of all those conditions, and that, behind the statistics, every case involves a human being who is suffering from severe pain. That severe pain has all sorts of implications for the people concerned, for their families, for the health service and for the economy in terms of sick leave.

As Rhona Brankin anticipated, I will talk about osteoporosis. I became involved with the issue of osteoporosis after a constituent, Lorna Young, roped me into helping locally; she also roped me into raising the profile of the condition in Parliament. Particular tribute is due to Lorna Young and to Anne Simpson, from the National Osteoporosis Society, who is in the public gallery. Most members present have met and spoken to Anne, who is going round Scotland preaching the message about osteoporosis.

The minister is familiar with the issue, which I raised in a previous debate, and I know that he has taken a close interest in it. What I have to say in the short time that is available to me is therefore not new. I hope that the minister will comment on what progress has been made in the implementation of the guidelines from SIGN—the Scottish intercollegiate guidelines network—which were published in June last year. That was a great step forward, but we want to know what is being done now to implement the guidelines and how

those in the front line—general practitioners—are being assisted to ensure that the guidelines are fully taken into account.

Access to osteoporosis services remains extremely variable—it is a sort of postcode situation. Great work is being done in many parts of Scotland, for example in Glasgow, Aberdeen—where Professor David Reid is involved—and in Dingwall. However, the availability of scanning is patchy. That is surely inadequate. The matter has been raised time and again, and I would very much appreciate a word from the minister about the progress that has been made.

There is a very long waiting period for access to scanners. For patients, that is a time of concern—as it would be for anyone on a lengthy waiting list. There is also a lack of lead clinicians, and variable knowledge of, and interest in, the condition on the part of lead clinicians and consultants in Scotland.

Everyone stresses the importance of preventive measures. The intake of calcium is particularly important—and it is not restricted to osteoporosis. Much more needs to be done to encourage kids to drink milk, which is perhaps the key way in which calcium, along with vitamins A and D, can be consumed.

I had the pleasure of accompanying Anne Simpson to Brussels, where we saw an exhibition of photographs of people with osteoporosis; the photographs showed them unclothed. The Benetton photographer took the photographs, which included some of ladies with very advanced osteoporosis. It was an arresting, striking exhibition. I hope that, when we eventually get into that new building down the road—in which people take an occasional interest—we might bring that exhibition there. Although it has a dramatic impact and perhaps some of the photographs are gratuitously sensational, it brings the issue of musculoskeletal disorders home to people.

17:25

Mr David Davidson (North East Scotland)

(Con): I congratulate Rhona Brankin on introducing the subject of musculoskeletal disorders for debate. It is a bigger issue than most people realise and the bone and joint decade is an important venture. It is equally important that we try to deal with musculoskeletal disorders and put them in perspective in Scotland. Many of us either suffer from such disorders or have friends who suffer from them. Sometimes such problems are self-induced—I have a problem caused by a mixture of a car crash and a sporting accident—and come home to roost with a vengeance only later in life.

During my work as a pharmacist, I saw many people who suffered tremendous pain and had

very little access to any sort of help; all they did was ease their life with painkillers. We have to try to head off the problem at the pass and not just wait to treat the symptoms when they occur but get people involved in screening programmes. Fergus Ewing was right that we need to ensure that people have access to such programmes. We know that the programmes exist, but investment is needed. I know that great claims are made on the health budget every week, but these disorders will start to have a greater impact in Scotland, because we have an aging population. The worrying trend is that young people are beginning to suffer from these difficulties for a variety of reasons, and I know that GPs are seeing increasing numbers of young people with such problems.

The problems are caused not just by poor nutrition, although that is a major factor, but by the fact that our young people are not exercising. Rhona Brankin mentioned obesity, and other simple factors are involved. Increasing numbers of young and middle-aged people are suffering from lower-back pain because of the way in which we work, hunched over a stool or at a desk, looking at a computer screen with our shoulders bent—eventually we can see the damage that that does. We have to encourage young people to get their posture right, which helps, and prevent them from watching television at an odd angle while eating poor-quality food. There is a huge cost to industry from musculoskeletal problems, but there is an even bigger cost to the health service.

When I was living in England, I remember seeing a friend who was about 5ft 8in, but whose height, in the space of a year, went down by about 4in. She ended up in a steel-braced corset, trying to hold her body in place. She had been an active teacher and her life was basically destroyed because she could not carry on with her work. She had to suffer not just the agony but the embarrassment that the condition caused her. People are moved by such situations.

We have to encourage prevention and get diagnosis and treatment for everybody who is at risk. I am a great believer in screening, but the problem with screening is that it produces a capacity shortage, as it shows up more problems that we have to deal with.

A quality-of-life issue is involved. We have to consider what people can put back into the community if their condition is caught and treated early. There is an increasing incidence of diabetes in our community, which is quite frightening as it can often lead to celiac disease, which in turn can lead to osteoporosis because of a lack of calcium absorption. I support Rhona Brankin in calling for more research on all those issues. There are good examples of research that is being done, but we

have to ensure that it is carried out logically and that we have some form of collating figures on the number of people at risk and the number of people with a problem.

17:29

Sarah Boyack (Edinburgh Central) (Lab): I was delighted that Rhona Brankin had not just lodged the motion but been successful in having it debated. The comments that we have heard so far are absolutely spot on. We have to raise awareness of the issue. During the previous session, Rhona and I worked together on women's health issues and we were particularly keen to focus on the range of health issues for women over the age of 45, because some of those issues are not high enough on our political agenda.

We should ensure that the *Official Report* records the point that the motion makes:

“that musculoskeletal disorders are the most common cause of severe long-term pain and physical disability affecting hundreds of millions of people”.

Osteoporosis in particular is a major cause of disability in women. We know from research that 40 per cent of women over 50 will experience at least one bone fracture. The social and personal impact of fractures often sets people back dramatically. I used to work as a town planner, and the statistics on pedestrian activity problems, such as people tripping on pavements, were not prioritised. One could focus on people being killed in road accidents, but a small event such as someone tripping on a pavement can lead to that person being hospitalised, particularly if they are an older person, and it can be difficult for them to get back into an independent life. Such stories, which are not headline-grabbing, come under Rhona Brankin's motion. We do not always see them as big political issues, but it is important to take the issue seriously.

Most of us do not give our bone structure a second thought. It is not something that we have to think about unless we are diagnosed with a problem or we know someone who has one. Awareness is critical, and that is why Rhona Brankin is right to bring the issue to the chamber today.

We know that women are more at risk of developing osteoporosis and that the menopause can accelerate bone loss. One of the things that came out strongly in Rhona Brankin's speech is the importance of being proactive and not accepting the inevitability of the way in which such diseases impact on us. Awareness of what we can do is important for health, particularly in building strong bones. For example, it is important to understand which types of exercise, such as weight-bearing exercise, are the right ones to

undertake. It is difficult to persuade most of us to exercise, because we always put it off—we would rather do something else. However, the more information that we can get out to people about calcium, about being proactive about health, about not smoking and about trying not to become overweight, the better. All those things are important and the cost of not paying attention to them can be extreme.

We should focus on what we can do as MSPs. I suspect that we are all consulted about local health plans. I am keen for women's health to be taken up in the local health plan for Lothian. Fergus Ewing mentioned scanning facilities. For us in the Lothians, the amount of time that it takes for people to get access to scanning is a particularly important issue. Again, that is not a headline-grabbing issue, but many millions of people live with arthritis and osteoporosis and those conditions damage their quality of life. A lot of people acclimatise to the pain; a level of pain that I would find utterly excruciating is taken for granted by a lot of people because it is less than the pain that they would have without painkillers.

We should stop and think. We should consider the motion, and we should support Rhona Brankin's attempt to get the issue onto our agenda. We should make sure that the WHO campaign is taken seriously. I hope that the minister will talk in his summing up about the work that the Scottish Executive is doing to play its part in ensuring that health boards take the issue seriously. We must raise the issues of awareness and prevention where that is possible—that must be a high priority for us.

17:33

John Scott (Ayr) (Con): I, too, congratulate Rhona Brankin on securing this debate. I must declare an interest as patron of the Ayr and district osteoporosis group.

I support what Fergus Ewing said about osteoporosis and I reinforce his call for a consistent level of treatment for sufferers of osteoporosis throughout Scotland. Watson-Watt was the Scotsman who gave us a network of external scanners, namely radar, 60 years ago. They saved lives, and perhaps even the future of Britain. Today, we have a need not for external scanners but for internal scanners, and we need them to be consistently available throughout Scotland.

In Ayrshire, we have only one DEXA—dual energy X-ray absorption—scanner, at Ayrshire central hospital in Irvine. Patients have to travel to Glasgow to be scanned; the alternative is to face a waiting list of 11 to 12 months, which is obviously unacceptable. In Glasgow, there are six DEXA

bone scanners, to which GPs have direct access, so the community is well served. In Edinburgh, however, there is only one scanner, which operates on a part-time basis and is accessed via consultants. The technology exists in some parts of Scotland, but people in other areas are not getting access to it. Unlike America, we do not have a national scanning programme in which every woman is scanned by the age of 65.

We in the UK aspire—reasonably enough—to treat high-risk and at-risk patients, but we are not delivering on that aspiration. It has already been said that women are the most at-risk group, with one in three women being affected. The disease causes not only pain, but loss of height and, indeed, loss of dignity and self-respect. The warning signs for women are there if, for example, there is a family history, early onset of the menopause or suspiciously easy fractures. Indeed, simple fractures should often be construed as a warning, but they are not.

The treatment that is available is not being delivered because men and women are slipping through the net and not being diagnosed with the problem. That is why, as David Davidson said, early diagnosis and intervention are vital to prevent the misery and expense of osteoporotic hip fracture. I understand that fractures cost the national health service in Scotland £200 million annually and the UK £1.7 billion annually. Those figures are frightening. If only a small part of that money was spent on delivering primary care treatment of the problem under the well-developed SIGN guidelines, it would benefit sufferers of the disease and save the NHS money in the long term.

The £5 million per day that osteoporosis fractures cost the NHS throughout the UK could and should be better spent. I urge the minister to consider my comments, and the comments of other members, on the disease and I look forward to his closing remarks.

17:36

Helen Eadie (Dunfermline East) (Lab): I, too, congratulate Rhona Brankin on securing the debate and on pledging herself to working hard to address the issues in question. I signed up swiftly to her motion and hoped to be with her at her meeting with representatives from the Arthritis Research Campaign because, apart from the fact that I have a number of constituents who are involved, I always think that people who wear the chains are the best people to break the chains. I have been a victim of the kind of trip that Sarah Boyack described, and had a fracture. I am also an osteoporosis sufferer; I am glad to support the motion.

I know constituents and other people who have suffered from osteoporosis. In particular, I knew a 92-year-old who, in her final year, had her head on her chest and a dowager's hump. She suffered so badly that her spine crumbled with osteoporosis. Such memories drive me forward to help in the campaign.

I am pleased to say that I am learning about osteoporosis through helping constituents of the kind Fergus Ewing described. I am also learning that a great deal can be done. That takes me back to the point Rhona Brankin made about heightening the awareness not only of clinicians, but of the public. Perhaps the minister could reflect on how his department could help, for example through leaflets that describe how patients can access treatment and that they do not have to suffer in silence, which is often what people think about doing when they have osteoarthritis.

I have had two hips replaced over a period of time and have suffered from osteoarthritis. I still do. When one sees the little joints beginning to deteriorate, one wonders how to tackle things. Should we accept that it is a feature of getting older, or can something be done? I pose that question, knowing that thousands of people in my constituency and elsewhere throughout Scotland will also want to know what can be done to help.

I was interested to read in the Arthritis Research Campaign's report that one of the issues it thinks should be highlighted is the type of drugs that should be used. I refer to the use of disease-modifying drugs rather than anti-inflammatory drugs. The report clearly states that not enough disease-modifying drugs are used. Perhaps the minister could issue a guidance note to doctors to encourage them to use such drugs.

A new drug for osteoporosis is on the market. Colleagues may be aware of it. I am reliably informed that it does not just inhibit the reduction of bone density but actually increases bone density. That has to be great news for people like me and other sufferers. If we can look forward to the years ahead knowing that we can get the condition corrected, that is great.

Other members have pointed out the fact that the condition affects not just older people, after the menopause, but younger people. It is important to bear that in mind. I have a young constituent who has had two hip fractures. She is a nurse and is the type of person whom we want to retain in the nursing service. I also recall a young woman who worked in the Parliament building. She was 36 when she had her first hip replacement.

I urge the minister to have his department issue some guidance on the use of glucosamine sulphate. Some major research has been undertaken by St Thomas's hospital in London,

which shows that glucosamine sulphate is a good supplement that helps arthritis sufferers. I have taken it for some time, as have members of my family and members of the public whom I know. Some doctors are now recommending its use, but it would be good if that was universal practice. I hope that we can all unite to help the many arthritis sufferers throughout the nation.

17:41

Mrs Nanette Milne (North East Scotland) (Con): As I am the last member to speak before the minister, I am at risk of being somewhat repetitive. I apologise if I am being repetitive, but I, too, thank Rhona Brankin for securing this important debate.

Musculoskeletal disorders are a source of pain and disability among all age groups and throughout the world. As has been said, they are not exciting diseases and they tend to be the Cinderellas of the medical world and of the world at large, but there can be few families who do not have at least one member who loses time from work or who suffers joint or back pain through arthritis or some related disorder. The impact of that, in human and economic terms, is enormous.

Like Fergus Ewing, I propose to confine my remarks to osteoporosis. The condition has always been fairly common among older people, especially women, but with our aging population its prevalence throughout the western world is increasing. It is also a complication of long-term corticosteroid treatment. Nowadays, an increasing number of patients of all ages are being treated with such drugs for asthma and auto-immune diseases.

As Helen Eadie said, treatment is now available to contain the disease and partially to reverse the bone thinning it causes. The treatment can cause a 10 per cent reversal of the damage. However, if the disease is allowed to progress, the complications and multiple bone fractures are painful and cost a great deal of money to the health service and the economy. This week, I lost a much-loved elderly aunt. She died from other causes, but she had occupied a hospital bed for more than six months following a hip fracture.

Much valuable research into the causes and prevention of this common condition has been undertaken in my local hospital and the University of Aberdeen by Professor David Reid. He has already been mentioned and he is renowned for his work in this area. He has for some time had in place in Aberdeen a screening programme to try to detect problems, or potential problems, at an early stage.

Unfortunately, the availability of facilities in Aberdeen did not keep up with the number of

patients who required to be scanned and, until recently, the waiting list for scanning had reached 4,000 people and the waiting time had reached four years. That naturally caused outrage among patients who were awaiting scans, and the potential consequences bode ill for the NHS locally. Thankfully, however, the minister has intervened and instructed the health board to take action to speed things up. Professor Reid hopes to have the backlog cleared in the next year.

The backlog is being tackled within Grampian NHS Board resources. I have no knowledge of which patients will, inevitably, suffer as a result of the switch of resources to the scanning programme. I flag up the unfairness of the Arbuthnott formula, which short-changes Grampian NHS Board. It is rather short-sighted: a shortfall such as that results in delayed diagnosis of a disease such as osteoporosis and the resulting costs of its complications. As we have heard, early diagnosis of the condition is patchy across Scotland.

I hope that the minister will address this issue in the long-term interests not only of patients' well-being but of the NHS itself. With an aging population and increasing numbers of people on corticosteroids, he really cannot afford to ignore it.

17:45

The Deputy Minister for Health and Community Care (Mr Tom McCabe): Like other members, I congratulate Rhona Brankin on her success in securing today's debate and this opportunity to mark the World Health Organisation's bone and joint decade. I am happy to accede to her request to arrange a meeting involving my officials and representatives of the various groups involved.

Musculoskeletal disorders are a major cause of pain and disability for young and old throughout the world. We are particularly aware of the impact of back pain on the working lives of Scots and therefore on the Scottish economy. Such disorders have a very wide range of causes and effects. Some seem to be genetic; in others, our old enemies of poor diet, tobacco, alcohol and lack of exercise may contribute. Giving up cigarettes and staying within the recommended guidelines on the consumption of alcohol will undoubtedly help. Smoking is especially bad for women, because it interferes with oestrogen levels and lack of oestrogen reduces bone density. Excessive drinking reduces the body's ability to absorb calcium, which is the most important requirement for building and maintaining healthy bones.

It is vital that our young people are aware that their lifestyle in their teenage years can have a crucial impact on the quality of their lives in later

years. As a result, we must be more health conscious throughout our lives. The Executive's commitment to improving Scotland's health will have a positive effect on musculoskeletal disorders. I am aware that, at a UK level, there was support for the whole campaign, which we are happy to endorse.

In Scotland, we have a very active campaign to reduce smoking. The latest stage will be the public consultation on smoking in public places. Safer drinking within accepted guidelines is also high on our agenda. Moreover, Rhona Brankin's comments on obesity are well founded. Our diet action plan is designed to influence diet from a very young age and to improve access to affordable, healthy foodstuffs in deprived and rural communities.

The national physical activity strategy was published last year and we have committed £20 million to active primary schools and school sport co-ordinators. We have not forgotten older people in all this. In its 2002 inspections of care homes, the care commission began to include an assessment of the opportunities for physical activity.

Back pain is now one of the most common reasons for seeking health care; however, most back pain is not due to any serious disease and much chronic disability could be prevented. Extensive new scientific evidence has underpinned a radical shift in the management of non-specific low back pain from the traditional therapy of resting until the pain gets better to a strategy of encouraging and supporting patients to continue as normally as possible and to stay at or return to work as soon as they can.

To spread that knowledge, NHS Health Scotland and the Health and Safety Executive launched a major public education campaign called "Working Backs Scotland" in October 2000. It reached 60 per cent of the population and research has shown that it managed to shift public beliefs by almost 20 per cent. The basic message is simple: we must stay active, try simple pain relief, and seek advice if necessary.

The "Working Backs Scotland" website contains comprehensive information for health professionals and the public. The initiative has also been promoted through information packs, a radio campaign and extensive media coverage. The next stage is the production of further material for particular professional groups, including occupational health professionals, general practitioners and orthopaedic surgeons.

The Executive's policy, which is set out in "Improving Health in Scotland—The Challenge" focuses on the key area of health in the workplace

and identifies that setting as a major opportunity for health improvement.

There is always a need for good-quality research. The chief scientist office is putting more than £840,000 into funding six research projects on osteoporosis, arthritis and other musculoskeletal disorders. Fergus Ewing made a good point about the SIGN guidelines. We are producing good evidence-based practice through the SIGN guidelines and we are actively promoting that.

We are actively encouraging health boards to increase the availability of DEXA scanners. Sarah Boyack made a good point about Lothian. We appreciate that there have been justified concerns about long waits for scans. We know now that NHS Lothian is considering proposals for a permanent, Lothian-wide co-ordinated osteoporosis service, encompassing early diagnosis, secondary prevention and management follow-up. That would initially involve optimising the role of the existing research-based DEXA scanner at the Western general hospital in Edinburgh by extending the service to orthopaedic surgery. That in itself would produce an extra 1,000 scans per year. We also intend to initiate a consultant-led service and provide an additional scanner. The output from that would be a further 4,000 scans per year.

Unacceptably long waits in Grampian have rightly been mentioned. In some instances, waits were up to three years long. Following discussions with the national waiting times unit, Grampian NHS Board and Grampian Primary Care NHS Trust, we have revolutionised the situation in Grampian. There is now more capacity and there is a commitment to reduce waiting times to less than three months. I believe that that will be more than welcome.

Primary care also has a critical role to play. GP practices should give lifestyle advice and vitamin supplements should be prescribed to those who are most in need. Some GP practices offer joint injections and undertake, with the specialists, shared management of patients, such as in the monitoring of drugs in rheumatoid arthritis cases. Under the new general medical services contract, those services will become a part of the enhanced services agreed with primary care organisations. Community pharmacists, too, should take part in the management of chronic conditions such as arthritis, especially in the monitoring of repeat medication.

Members will also be aware that the National Health Service Reform (Scotland) Bill, which is in the midst of its passage through Parliament, will establish community health partnerships. They will have a critical role as the focus for service integration for local communities, with a particular

emphasis on closing the health gap and delivering improvements, especially in the management of chronic diseases. The partnerships will be well placed to meet the increasing challenges of tackling chronic disease. One of their strengths will be their ability to provide a holistic approach to care, which is vital when patients require an integrated response from professional staff.

The treatment of musculoskeletal disorders is vital for individuals in Scotland and for our economic competitiveness. Raising awareness is important and, again, I congratulate Rhona Brankin on securing this important debate.

Meeting closed at 17:52.

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