

MEETING OF THE PARLIAMENT

Wednesday 19 January 2005

Session 2

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Scottish Parliament

Wednesday 19 January 2005

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. The first item of business is time for reflection, which is led today by Jim McColgan, head teacher at Echline Primary School.

Jim McColgan (Echline Primary School): As you may know, many schools in Scotland study their local environment and extend their knowledge of Britain and Europe. We decided to expand our studies to a developing country, to appreciate fully the contrasts within our world. Chogoria Complex School in Kenya and Echline Primary School became partners as part of that compare and contrast project. The Chogoria head teacher and his depute came to Scotland to study our techniques, development planning, assessment, technology, behaviour management, pastoral care and special educational needs, as well as the content of lessons. They supplied us with artefacts, materials and information from Kenya.

I visited Chogoria as part of a reciprocal programme. As well as learning from their teachers, pupils in both countries were able to meet and speak to a number of visitors working in Scotland or Kenya, often with medical or church backgrounds. The pupils wrote open letters to their counterparts and read more than 80 letters every year. The detail gives fantastic insight into life in each country, teaching them what is really important. My first question from a Chogoria pupil was: "What is the main cash crop in Scotland?" I had not done my homework. We learned that about 95 per cent of the pupils there had no running water or electricity. Most cultivated a shamba—a croft that often provided food for the whole family. It certainly altered our pupils' perspective on their priorities, which until then had been computer games and DVDs and so on.

School trips in Scotland, unless to a safari park, have never involved me in risk and assessing dangers such as crocodiles swimming towards a rickety bridge, or the lions that lived in our compound at Nakuru. However, you have to question why, with an infant crying as a result of malaria, you are the only the inoculated person in the room.

We have strengthened our links. Schools throughout our local authority have a friendship and co-operation agreement with Meru South

Province, an area 15 miles from the summit of Mount Kenya. A number of Edinburgh schools have created e-mail or written links and made staff visits. Currie High School and Queensferry scout group are both to visit Kenya soon. At last year's conference of Commonwealth education ministers in Edinburgh, each Commonwealth country was represented by two students. Kenya's were both from Chogoria. Jane Ngari, district inspector from Meru, is currently in Scotland as part of an educational fellowship, and in fact is with us today. There is clear interest in Scotland and our political system. David Mbae, the Chogoria head teacher, having already met the Presiding Officer, wondered why the Presiding Officer had moved to Northern Ireland. We pointed out that there were two Mr Reids in high office in politics in the United Kingdom.

Travel and technology continue to bring the peoples of our countries closer and closer. These are the words of two Chogoria students, Evans and Kelvin:

"We are motivated by the link, we want to work hard, without education, you cannot go to Scotland";

and

"I'm working hard—I would like to do Science at a University in Scotland."

We hope that our work will help students in both Edinburgh and Meru to be more effective citizens of our modern world.

The Presiding Officer: Before business today, members will wish to welcome to Parliament the President of Serbia and Montenegro, His Excellency Svetozar Marović; Mrs Marović; the Minister for Foreign Affairs, Vuk Drasković; the Minister for Foreign Economic Relations, Predrag Ivanović; and the accompanying delegation. *[Applause.]*

Closing the Opportunity Gap

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-2265, in the name of Malcolm Chisholm, on closing the opportunity gap.

14:34

The Minister for Communities (Malcolm Chisholm): The focus of today's debate will be on concrete policy decisions and actions that will lead to further progress in closing gaps, but we should start by acknowledging the very real progress that has been made over the past few years. For example, since 1997, through a combination of rising employment levels, increasing pay, new tax credits and a 25 per cent real-terms increase in child benefit, 100,000 children in Scotland have been lifted out of relative poverty and 210,000 children have been lifted out of absolute poverty. Similar figures could be given for pensioners and will be given in the debate on older people next week.

However, poverty is extremely complex and all the research tells us that it is not only about income but about services and opportunities. That is why the closing the opportunity gap Cabinet delivery group, which I chair, has been determined to concentrate on the big opportunities and services that disadvantaged individuals and communities need and to do so in a more focused, systematic and cross-cutting way. The objectives and targets that we announced last year make clear our intention to close the opportunity gap for the most excluded in our society by supporting people into sustainable employment; breaking the cycle of poverty for our most disadvantaged children and young people; addressing health inequalities between our most disadvantaged and most affluent communities; tackling financial exclusion among our most vulnerable families; improving access to services for the most disadvantaged in rural communities; and regenerating our most deprived communities. Those objectives and targets range right across the Executive's portfolios and are backed by delivery plans that set out the specific resources that will be invested and the action that will be taken to achieve the objectives.

The starting point for our closing the opportunity gap approach is a strong belief that work is the best route out of poverty for the majority of people. We realise that work will not be an option for everyone and that we must also take steps in partnership with the United Kingdom Government to secure a reasonable standard of living for those who cannot work. However, increasing employment opportunities and the ability of people to take advantage of them is central to our

approach because getting people into sustained and meaningful employment not only increases their income but improves their self-esteem and has a range of benefits for their physical and mental well-being.

The closing the opportunity gap group is currently overseeing the development of an employability framework for Scotland with Allan Wilson in the lead. The framework will look at how activity within our devolved powers in Scotland dovetails with the work of Jobcentre Plus to provide a continuum into employment and increasingly skilled work for those who are able to work. I re-emphasise that last point: our approach is not about getting people into low-paid, low-skilled, entry-level jobs; we want to get people into sustainable employment, where they are supported to continue their personal development so that they can realise their full potential.

Brian Adam (Aberdeen North) (SNP): I commend the general approach that the minister is adopting, but what measures will he put in place to ensure that the steps that he takes work? I am concerned that current ways of giving extra finance are not monitored at all.

Malcolm Chisholm: There are certainly financial issues, which will be addressed, but there are detailed work streams, involving key experts from throughout Scotland, which are considering the demand-side issues, the supply-side issues and those who are furthest from the labour market. This is a systematic and thorough piece of work, which will come to its conclusion in the summer.

Employers have a crucial role to play in continuing to support people once they enter work. There is much that the public sector can do—we have already signalled the role that the national health service in Scotland will play—but we will also be exploring how we can support and encourage private and voluntary sector employers to play their part.

One example of how we are supporting people into work is our working for families initiative. Many parents, particularly those in deprived areas, struggle to access the child care that they need to access work, education or training. We listened to what parents said they needed to assist them and, in 10 local authorities with the greatest need, we now have a range of projects that are helping parents to find and sustain appropriate child care. Those projects are starting to see successes, and when I visited North Ayrshire recently, I met parents who had already been helped into work. That initiative is an important targeted addition to the more general advances in child care since 1997.

We must also tackle the appalling inequalities in health that exist between individuals and

communities in Scotland. For example, we know that coronary heart disease mortality rates in our most deprived communities are two and a half times those in the most affluent areas. Tackling those long-standing inequalities involves promoting healthy lifestyles and encouraging people to make the right choices in diet and exercise. Smoking is obviously an important contributory factor. Our support for smoking cessation services in deprived areas and our plans to ban smoking in public places will make an important contribution.

Mr John Swinney (North Tayside) (SNP): The minister makes a point about the importance of encouraging people back into employment and putting in place services to make that possible. I heartily agree with what he has said. However, does he accept the concern of many of us that a large number of the problems that prevent individuals from getting into employment relate to mental health and that adequate services, including counselling, support and psychiatric services, are often not available to help individuals to make that journey into employment? Will he raise those issues with the Minister for Health and Community Care, so that he may address them?

Malcolm Chisholm: That issue has certainly been taken on board. It is something that I was very much aware of as Minister for Health and Community Care and I know that the new minister is aware of it, too. Levels of unemployment among those with mental health problems are of course unacceptable. That will be addressed under the employability framework as well as in the wider work on mental health.

I will conclude what I was saying about health. Life circumstances are crucial, as is an understanding of the complex relationship between life circumstances and their biological consequences. That is why we are supporting the Glasgow centre for population health in its innovative work. We were pleased to hear a presentation from the centre at the closing the opportunity gap delivery group last week.

We must improve access to services for the most deprived. We know that those who are most in need of health services are often those who access them least. That is why we have set up unmet needs pilots and supported them with £15 million. Those are mainly in the Greater Glasgow NHS Board area, where the greatest concentrations of deprivation exist, but also in the Argyll and Clyde NHS Board and Tayside NHS Board areas.

Another important part of our approach is breaking the cycle of poverty for our most vulnerable children and young people. Too many young people do not make the transition to adult life successfully, blighting their lives and limiting

their future life prospects. To prevent more of our young people from falling into poverty, we will therefore also focus on providing our most disadvantaged children and young people with the support, guidance and development that they need.

One group of young people about whom we are particularly concerned is care leavers. The latest statistics show that around 60 per cent of young people leaving care are not in education, employment or training, compared with a figure of 14 per cent for all 16 to 19-year-olds. That is clearly unacceptable. We must, and will, reverse the trend of disengagement by boosting the skills and confidence of care leavers so that they avoid poverty and exclusion when they leave school. One way in which we are doing that is through our care leavers partnership programme with Columba 1400, which aims to help young people aged 16 to 25 who are preparing to make the transition from the care system to independent living.

I was planning to say something about the financial inclusion action plan, which Johann Lamont launched yesterday. That is another key part of our agenda. Since time is alarmingly short for me, I shall leave her to deal with that subject, and I shall conclude by commenting briefly on rural Scotland and regeneration more generally.

Our approach in rural Scotland will focus on those areas with the greatest levels of deprivation and the poorest access to services. We are currently working on identifying those areas where improvements are most needed and Ross Finnie will shortly make an announcement about the communities to be selected.

There is a particular need to make a difference to the lives of those who are living in our most deprived communities. People living in Scotland's most deprived neighbourhoods are more likely to be unemployed and to have poorer health and lower educational attainment. The quality of their environment is also likely to be poorer. That is why we have set a specific target to promote the community regeneration of the most deprived neighbourhoods, through improvements in employability, education, health, access to local services and the quality of the local environment.

Before Christmas, I announced funding of £318 million over the next three years to support services and projects. That funding is now better targeted on the most deprived 15 per cent of communities in Scotland. We are determined that mainstream services be directed into those areas, so we are allocating the new community regeneration fund to community planning partnerships. We will be asking those partnerships to develop and deliver a regeneration outcome agreement, which will have to be approved by us within the next few months.

Our closing the opportunity gap approach focuses on where the Executive can make most difference to the lives of the most disadvantaged. It takes a joined-up approach to tackling long-standing problems and will work alongside United Kingdom Government initiatives to focus on where we can make the most difference. We are taking a long-term view and will not eliminate poverty overnight. However, we will make a difference in key areas and see significant progress over the next three years.

I move,

That the Parliament acknowledges the progress made in reducing poverty and extending opportunities in Scotland but recognises there is much more to do; welcomes the Scottish Executive's commitment to closing the opportunity gap for those most excluded in urban and rural communities, and supports the Executive's plans to deliver objectives and targets for increasing the chances of sustained employment for vulnerable and disadvantaged groups, improving the confidence and skills of the most disadvantaged children and young people, reducing the vulnerability of low income families to financial exclusion and multiple debts, regenerating the most disadvantaged neighbourhoods, increasing the rate of improvement of the health status of people living in the most deprived communities and improving access to high quality services for the most disadvantaged groups and individuals.

14:45

Christine Grahame (South of Scotland) (SNP): I note with disappointment that no one from the Scottish Socialist Party is attending the debate, even though the SSP claims to fight for the underprivileged. As far as I can calculate, this is the fourth debate on this issue in as many years. Of course the tragedy is that debating is one thing and delivering is quite another. I make those initial comments because although the odd pocket of change might have been delivered here and there, the reality is that for Scotland's poorer communities life goes on unchanged.

An Executive motion from March 2003 on closing the opportunity gap for older people stated that there would be

"initiatives ... which will support older people in living healthy, active and independent lives."

However, one in five of Scotland's pensioners lives in poverty. Of course the best medicine for that is a decent state pension, not the basic pension of £79 per week for the sole pensioner or £127 per week for the couple. Pensioners have to claim pension credit, but 30 per cent do not, whether for want of will, because they cannot fathom the form or because it is humiliating. The situation is even worse for women pensioners, many of whom do not even reach the giddy heights of £79 per week.

With the reality and disgrace of pensioner poverty come pensioner deaths. Scotland has one

of the highest incidences of excess winter deaths in western Europe. It is higher than that of our Scandinavian counterparts, which have a much colder climate. Of course the minister can do nothing about that, because he does not have the power. The Scottish National Party would deliver a citizens pension of at least £106 per week for a single pensioner and £161 per week for couples. That would be a redistribution of wealth.

The Executive motion of October 2002 stated:

"*Building a Better Scotland - Spending Proposals 2003-2006: What the money buys*, will deliver a better life for the most disadvantaged people and communities in Scotland".

In the motion of September 2003, the Executive aimed to

"deliver community regeneration to build strong, safe and attractive communities ... to reduce debt ...to increase participation in the labour market."

I wonder how many people have been lifted out of the so-called sink estates and how many such estates are now pleasant and graffiti, hoodlum and drug-free?

An article in the *Daily Record* last June stated:

"It takes just 22 minutes to drive ... from the richest streets in Scotland to the poorest"—

from Giffnock to the ironically named Wellhouse. The failure is greater still because the minister and his deputy, no matter how well meaning—I view them both as politicians of integrity, who are possibly even old Labour—cannot turn the tide of deprivation, which, other than for the lucky few, discriminates from the moment a child is born to the day it dies. We need serious money and power, which can come only from root-and-branch reforms of taxation and benefits. The best cure of all for deprivation, which the minister acknowledged, is, to paraphrase the head of the Confederation of British Industry Scotland, a well-paid job. The relevant powers are in that other place, but the impact of deprivation and poverty is fundamental, as the minister has acknowledged, to the health, education and law and order of greater society.

The Joseph Rowntree Foundation report "Strategies against poverty; a shared road map" has made it plain through research what we all know from anecdotal evidence, which is that if someone is poor, their life expectancy decreases and their chances of illness and serious illness, such as cancer, increase. If someone is poor, their chances of survival are lower. If someone is poor, they will eat badly, their home will not be well heated, if it is heated at all, and it might be endemically damp. Their children are less likely to succeed at school and they are more likely to be victims of crime and to enter lives of crime. They are more likely to become addicts. They will pay

highly for debt because, as we all know, only the rich can afford debt.

Those people will not need a social scientist to determine where they come from and where they belong, from which they are unlikely to escape, because their community, like any habitat, has its distinguishing features. It is drab, with boarded-up shops, a chippy, an ice-cream van circling the greyness of the estate with its jingling melodies, bookies, and shops for the easy cashing of cheques. Collarless dogs wander on scrub grass patches and there is little sight of flower beds or parkland. In swing parks, local gangs swig cheap booze. They are role models for the next generation.

Robert Brown (Glasgow) (LD): We can all make such a speech, although perhaps not as poetically as the member. Members might be interested in the differences in how the SNP would tackle the matter and not least in whom it would redistribute from. The SNP seems keen on redistribution.

Christine Grahame: I am making it plain that without fundamental economic power in the Parliament, the picture that I described will remain relatively unchanged. We have had eight years of Labour in power—five years of which have been here with the Liberal Democrats. Token and genuine attempts have been made, but we can only gesture at the edges unless we can turn round the economic situation and redress the balance between taxation and benefits. If we are being honest, until then we cannot change those images.

Such situations cost society. Poverty costs not only the lives of the good people who are trapped in such drab ghettos but society at large. Poverty is expensive—it costs us all serious money. Money is thrown at youth offending, the rate of which continues to rise. Money is thrown at reducing waiting lists and times, but they continue to lengthen. Money is thrown at reducing smoking, drinking, truancy, bullying of fellow pupils and bullying of staff. Money is thrown here, there and everywhere but with marginal and often no measurable impact.

Even moving to the post of Minister for Communities is seen as downgrading. Moving from health to social justice is not seen as a promotion or even a sideways shift. Becoming the minister for enterprise is a reward—but for what? We can tackle Scotland's poverty only if we have the economic power here. Members have differences over how far that economic power should go, but those differences run throughout the parties.

We need to raise taxes and redistribute the wealth in Scotland. When we have tackled the root

causes of Scotland's poverty, we should not be surprised to find that much of the criminality, our appalling health record, damp housing and so on resolves itself and that those communities that were so rosily portrayed in earlier motions become fact, not fiction.

I move amendment S2M-2265.2, to leave out from "and extending" to end and insert:

"but only in very limited areas; notes that one in three children, one in five working-age adults and one in five pensioners live in relative poverty despite Scotland's wealth; notes the recent report by the Joseph Rowntree Foundation, *Strategies Against Poverty*, published in December 2004 which highlighted the link between deprivation and problems such as crime, poor health, premature death, family breakdown and poor educational attainment; further notes that, according to the Joseph Rowntree Foundation, what is required is a modest redistribution of wealth, and believes that, without power over the macro-economy, tax and benefits, any progress towards eradicating poverty will continue to be minimal so that many of Scotland's children will continue to be born to fail and our pensioners will live in poverty or on its margins."

14:52

Bill Aitken (Glasgow) (Con): The debate has assumed the role of a hardy annual, but the Executive was perhaps unwise to provide the Parliament with the opportunity to highlight the extent of the Executive's failures. It is simply not good enough for the Executive to express the same platitudes and self-congratulation, accompanied by a total lack of a coherent strategy to cope with the problem, as it has done several times before.

The minister trumpets minor successes, but we should face the facts. Labour has been in power for nearly eight years. When one cuts past the spin, waffle and obfuscation and confronts the stark statistics, they make grim reading. The Joseph Rowntree Foundation says that the proportion of people who live in low-income households in Scotland is 22 per cent—that is the percentage of people who have below 60 per cent of the United Kingdom median income after housing costs.

The health statistics are even more depressing. On average, males in Glasgow do not even achieve the biblical figure of three score years and 10 and die 10 years earlier than their contemporaries in many urban areas down south. To be born poor in Glasgow or many other areas of Scotland means not simply early death but a lack of opportunity in jobs, health and education.

It is surely the ultimate irony that the Executive that pledged

"to increase the chances of sustained employment for vulnerable and disadvantaged groups"

has presided over a worsening situation. As the Federation of Small Businesses has said:

“business does not see the Executive making a difference, we would all welcome a focus on delivery not rhetoric”.

Our economic growth rate is a full 1 per cent behind that of the UK and we are experiencing a net loss of economically active people who are aged between 16 and 34.

Of course, all that is happening against a background of non-domestic rates being more than 9 per cent higher than they are in England and Scottish Water having presided over massive increases in charges and achieving only 38 per cent of the score of the worst-performing water company south of the border, as allocated by the water industry commissioner. When the “IMD World Competitiveness Yearbook” puts Scotland in 39th place—behind such economic giants as Colombia and the Slovak Republic—we know that we have a problem, but the Executive continues to preside over a bloated public sector that accounts for well over 50 per cent of Scottish gross domestic product, stifles enterprise and loses jobs for Scotland’s poorer people. For job creation and the economy in general, and to help the poor and to genuinely close the opportunity gap, we must start by cutting business rates at least to the level in England, open up Scottish Water to full competition, slash unnecessary red tape and invest in transport.

We must also look at our education system, which is perhaps where the greatest inequality exists. Parents should be able to send their youngsters to schools of their choice. I get impatient with people who state that the existing system provides equality of opportunity. It does not. Basically, it means that if someone’s mum and dad have a few bob, they will live in a good area and will go to a reasonable school. People whose families are poor and who live in a poor area will go to schools that will, as we all know, be characterised in many cases—although certainly not in all cases—by low levels of attainment and high levels of indiscipline.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I would like to probe the member’s philosophy a little further. If we take what the member says to its logical conclusion, people would desert schools that are perceived to be not as good, which would lead to those schools being abandoned. Would it not be better to tackle the schools that may need help and raise everyone up to the same level?

Bill Aitken: Mr Stone does not understand the basic premise. If schools are a failure, there will be pressures on them to improve as a result of people voting with their feet. I know that Mr Stone is anxious to see improvement, but that will be

achieved as a result of people being able to choose and deserting schools. Schools would not close—they would improve.

We must consider the courses that children are offered and recognise that not everyone has an academic bent. Has any member tried to get hold of a plumber or an electrician recently? Doing so is pretty difficult. We do not have plumbers or electricians because we are simply not training them. If children are not academic, we must offer vocational training.

The Deputy Minister for Communities (Johann Lamont): Will the member give way?

Bill Aitken: I am sorry—I am in my final minute.

The Conservatives believe in making schools better by removing the obstacles that stand in the way of good schools and offering opportunities for people to take. As I said to Mr Stone, parental choice applies pressures on those that are failing.

Mrs Mary Mulligan (Linlithgow) (Lab): Will the member give way?

Bill Aitken: I am sorry—I am in my final minute.

We believe in real health reforms. We will never depart from the concept of a health service that is free at the point of need, regardless of ability to pay, but that service must be of a much higher quality and must put patients’ needs first. Therefore, we are committed to giving every NHS patient an immediate and unrestricted right to choose any NHS hospital, with a view to abolishing waiting lists entirely.

My colleagues will deal with other matters that affect the opportunity gap that undoubtedly exists in this country. Until the Executive is prepared to apply more flexible thinking, even to the extent that there is down south, all its efforts—which are undoubtedly well meaning—are condemned to miserable failure.

I move amendment S2M-2265.1, to leave out from “progress” to end and insert:

“everyday reality of poverty for many people living in our communities; is shocked that eight of the 10 UK local authorities with the lowest male life expectancy are in Scotland, which is wholly unacceptable in the 21st century; further acknowledges that those living in poverty suffer disproportionately from inadequate public services; therefore regrets that the Scottish Executive’s own policies on health, education and crime are serving to entrench the opportunity gap rather than reduce it; believes that concrete policy decisions rather than “objectives and targets” are required to eliminate poverty, and calls on the Executive to give every person in Scotland, regardless of income, the right to choose the school or hospital of their choice and so end the present two-tier system which deprives those in our poorest communities of quality education and health care.”

14:59

Donald Gorrie (Central Scotland) (LD): The opportunity gap is a real gap, but it primarily exists in people's minds. It is a question of attitude. We must reform attitudes, rather than simply produce money. Money can help in a number of ways if it is well targeted, but we must change the attitudes of many people in Scotland, particularly in some communities in which many people with perceived disadvantages congregate. We must try to build self-confidence.

The subject is difficult. Every member who is taking part in this debate or who takes part in other parliamentary debates has an excess of self-confidence. We all think that we could run the country marvellously and sort everything out. The idea that many of our fellow citizens lack self-confidence is a difficult concept for us to grasp; nevertheless, it is a fact. Somehow, we must promote systems—which exist and have been proven to work in some places in Scotland and elsewhere—to encourage self-confidence and enable entrepreneurship at the local level. Rather than have people dressed in suits, or the nice female equivalent, going in and telling people what to do, we must give individuals in communities professional advice and help and get them together to develop their own ideas. Development from the bottom is the only lasting way in which we will develop organisations.

Ms Sandra White (Glasgow) (SNP): Does the member agree that people who are caught in the benefits trap cannot find a way out? Does he agree that, to give those people confidence, the benefits trap must be abolished?

Donald Gorrie: Yes. The benefits trap is a problem that we must get our colleagues at Westminster to deal with. If we encourage people to start up their own wee businesses, they will get out of the benefits trap reasonably rapidly.

There are several ways of developing self-confidence that have been shown to work. For example, residential accommodation, residential education and outdoor education have been shown to have a good effect on people's self-confidence. There are various organisations that deliver outdoor education or programmes to help people. The Prince's Trust, Fairbridge, Barnardo's and others have good programmes to help people to develop their self-confidence. We must target money at them and help them to keep going rather than scabble around every year or two for more money.

There is some good enterprise education, but we must deliver more of it and help organisations that deliver it. I was impressed when I visited specialist schools in sport and music in North Lanarkshire. They are not of the traditional, expert

kind of specialist school but deliver more than an ordinary, good, local secondary school would, to strengthen pupils' performance in sport and music. That has a knock-on effect on pupils' self-confidence individually, as groups and in the community.

If we encourage volunteering, that can lead to individuals getting jobs. Many people who volunteer in the citizens advice bureaux go on to paid employment because of the skills that they have learned, and the same applies to volunteers in many other organisations.

We have taken steps to help credit unions, but we could do a lot more. We could also do more to help co-operatives, for which I share Johann Lamont's enthusiasm. The co-operative model can do a lot to develop community enterprise, getting people to sort themselves out and develop real local strength.

The Executive has done some good work on money advice and getting people out of debt, but we could still do more by helping organisations such as the citizens advice bureaux to provide better programmes and education in schools—not only education for enterprise, but education to teach pupils how to sort out their affairs sensibly and how to use the system.

We could also help people in disadvantaged communities with health matters. I hope that we stick to our guns on smoking. I know that there is an argument that, if a person has a fairly miserable life, smoking can be their only solace, but if we can help them to get over that and find something more constructive, that will improve their health.

Another issue that is relevant to today's debate is the need to provide public transport in rural areas to enable people to access the opportunities that they need.

There are many ways in which the Executive can help. It is already doing some good work. Above all, we must collectively inject self-confidence, self-belief and enthusiasm into local communities and individuals, so that they can work out their own salvation, rather than parachute in gifts from heaven as we unfortunately have to do for people around the Indian ocean at the moment. The solution to the problem lies in their hands, and we must help them to find that solution.

15:05

Ms Wendy Alexander (Paisley North) (Lab): It has been a somewhat strange start to the parliamentary year. We all returned from our holiday chastened by the terrible tsunami. Then we paused. Would the new year herald the warm-

up period for that big clash of ideas: the competing visions for Scotland's future being fiercely debated here and at Westminster, those crucibles of Scottish democracy? It was not quite like that. There was a two-week long episode of "Holiday" or "Wish you were here...?"—perhaps it should have been "Wish you weren't here...?"—and, of course, the voters switched off in terminal embarrassment.

To their immense credit, the Tories decided to move on this week and we got their big idea. It was just like the movies—the old ones are the best. It was not to close the opportunity gap but to widen it. We were to have a £4 billion tax carrot.

If that is not enough, the Tories' other big idea was to abolish the new deal that has put more than 100,000 Scots back to work, thereby tackling unemployment, which is the single greatest cause of poverty. Perhaps the Tories think that the disappearance of unemployment from the radar screen of public consciousness is an accident of history or good timing. I suggest that they look to France and Germany and see those countries struggling with 10 per cent unemployment and the misery that that brings.

Indeed, the Tories' big ideas proved so popular with their voters, their supporters, their members and even their MPs that all of them are slowly but surely seeking safe refuge in the Labour party. I say to Bill Aitken and Mary Scanlon that it is never too late.

Mary Scanlon (Highlands and Islands) (Con): Does the member commend Labour's big idea of 66 tax rises in the past seven years as a means of closing the opportunity gap?

Ms Alexander: I will talk about what we have done to close the opportunity gap in a moment. Let us leave the Tories to their misery and turn to the SNP.

In fairness, the SNP had a big idea for the start of the year, but it was not about closing the opportunity gap; it was about the constitutional crisis and having an army, a navy, an inland revenue, a diplomatic corps, a foreign office and a Scottish security service. After all that, it might get round to being about closing the opportunity gap. To be fair to the SNP—and Christine Grahame said this—that is not the Scottish Parliament's fault. The SNP says that we cannot close the gap because we do not have the powers. We are meant to forget about our powers in health, education and housing.

Let us take the SNP at its word and consider the response of Alex Salmond and the SNP to the Queen's speech at Westminster. Let us see what the SNP's priorities are for closing the gap. It calls for a war powers bill, a ministerial accountability bill, withdrawal of coalition troops, a common

fisheries policy change, financial autonomy, measures on energy, an armed forces bill and a Scottish Parliament European representation act—whatever that might be. Finally, it talks about pensioners. Only one out of nine proposals is about closing the gap.

Perhaps nice Nicola Sturgeon cares about closing the opportunity gap. Fifteen First Minister's questions later and we have had questions on troops, rates, holidays, the Fraser inquiry and ministerial performance. How many times have we had questions on unemployment or child poverty? Not once, because for the SNP, too, the old ones are the best—it perpetuates the cruel fraud that independence is the answer to every awkward question.

Christine Grahame rightly said that taxation is the answer. Perhaps she can enlighten us, because what I know of SNP tax policy is that it is about cutting business rates and corporation tax, and, as we heard this morning, about ending taxation on property. That is an interesting policy in relation to closing the opportunity gap.

People in Scotland are not daft, as we say here. They let all the holiday hoo-has and the court politics of TBs and GBs wash over them. They want a Government that closes the gap.

We failed people for 20 years because they did not trust my party—they feared that unemployment and inflation would be the price of closing the gap. However, after eight years of the current Labour Government, the situation is not like that. Today, people have better maternity leave and guaranteed nursery places; better schools and hospitals are being built; and there is a minimum wage. I will not repeat the whole list because people know it.

In politics, we cannot expect gratitude, but voters make a judgment. The exciting thing is that our ambitions for closing the gap are getting not smaller, but bigger. We are now on track to halve child poverty not only at home. Closing the gap is about so much more if we are willing to think big. Having taken 3,000 children per constituency in Scotland out of poverty, members in this part of the chamber have as their ambition to start closing the gap around the globe as well, and to ensure that, in the next 10 years, every child becomes able to go to school and that we seek to halve world poverty not in 100 years, but in 10 years.

Later this year in Scotland, world leaders and other parties will decide whether to back that ambition and show how to close the gap both at home and abroad. That is a big idea for politics, for Scotland and for our future.

15:11

Linda Fabiani (Central Scotland) (SNP): As Christine Grahame said, we have had this debate three times before. It is a worthwhile debate and it would be worth having if we had any huge improvements to report or any big initiatives to announce. I am not convinced that that is the case today and I am disappointed because I hoped that it would be.

It strikes me that all the discussions and debates that we have about this subject are about changing baselines and involve a bit of obfuscation. However, having said that, I will try to be fairly constructive.

We started off with the minister telling us about 100,000 children being lifted out of relative poverty since the 1997 baseline. If I remember rightly from way back, we started out with a 1999 baseline for relative poverty. That was changed and, suddenly, the figures started to look better. There was a bit of obfuscation at that time. We now consider absolute poverty in relation to a 1997 baseline, which makes things look good because, if I remember rightly, we were told that 47 per cent of children have been lifted out of absolute poverty. However, when we consider that the figure was based purely on the 1997 baseline with retail prices index increases, I suggest that it is pretty meaningless.

We used to have 29 milestones with subsets of targets that were measured each year and published in the social justice annual report. The last report was in December 2003, so I ask the minister to let us know when we can expect the next one.

Now, we have six objectives and 10 targets. I would like the minister to explain to me and others what the benefits of the change in the method of measuring and monitoring have been. Can he assure my colleague Brian Adam, who asked, that he is confident that he can justify the monitoring and measurement of the new targets to the satisfaction of the Opposition parties, which exist to hold the Executive to account?

The minister went on to speak about concrete policy decisions and actions, but the only points that he made were about Johann Lamont's financial inclusion action plan. That is fine, but it is all very familiar—I seem to have heard it all before. In reannouncing the measure, I wonder why we have not been told how much has been achieved by the plan that Jackie Baillie put in place, I think, when she was minister. That plan incorporated the credit union initiatives that Donald Gorrie mentioned. Where are we on that and has there been an improvement?

Employment initiatives have been spoken about. That is fine, but work is no guarantee of alleviating

poverty if there are no wages. Someone can still be in poverty when they are working. That goes back to what Sandra White said about the benefits trap.

An initiative that was taken to alleviate poverty among disabled members of our society was the new deal for disabled people. According to the Capability Scotland briefing that we received today, Government research shows that such schemes are not achieving their aim. For example, in two and a half years, less than 20 per cent of those new deal participants have gained and sustained employment. Why have we not heard about that? As I have said, we must measure and monitor these matters.

Whatever we disagree on, we can at least agree that people have basic needs and that poverty will be alleviated if those needs are met. I have mentioned employment; as far as health is concerned, I point out that the premature death rates in 29 of the 32 Scottish local authorities are higher than the average for England and Wales.

We can alleviate poverty and give people quality of life through the provision of housing. However, we heard today that 150 housing developments in Glasgow have been put on hold because of poor water infrastructure. Such an example shows that everything to do with poverty is cross-cutting and that every policy must be poverty proofed. The minister must reassure us on this matter. Are departments working with each other to consider every way of alleviating poverty or are they considering the matter in isolation, even if they do not mean to? Again, I return to the issue of monitoring and measuring.

I end by asking members to support the SNP amendment. As Christine Grahame pointed out, even the Joseph Rowntree Foundation has suggested that a modest redistribution of wealth is required. Without parliamentary powers over macroeconomic, tax and benefit matters, we might make small progress and take baby steps towards helping some people in some pockets of our society, but we will not achieve the ultimate aim of eradicating poverty for everyone unless we have the means of doing so.

15:17

Mr David Davidson (North East Scotland) (Con): We can all approach this matter from different angles, but we must face up to the simple truth that, regardless of the policies of the past eight years, the situation with deprivation is not improving. Such deprivation takes many forms. For example, unemployed people end up with tremendous health difficulties through depression and, as Donald Gorrie might put it, lack of confidence.

That said, how can the policy document mention the abolition of tuition fees without even suggesting that there should be full relief? The current approach takes people away from gaining an education or attaining qualifications appropriate to their ability. We must give people hope and, quite frankly, that is not coming across. Without education, how do people lift themselves into employability? How do they get themselves trained? So many people in secondary schools are bunking off because they are bored out of their heads by academic subjects. Surely we should be getting them interested in technical subjects that give them skills that they can apply and the prospect of a job or apprenticeship at the end of the line. We should be providing that kind of support instead.

Several members have mentioned poor-quality housing. We still have not done enough in that respect. I find it depressing to drive through certain sink estates on my way to surgeries, and they are not just in Glasgow but throughout Scotland. Indeed, not enough recognition has been given to the parts of Aberdeen that face tremendous difficulties. When people are housed in such areas of deprivation, they find themselves on a downward spiral.

We all know that the Scottish diet is rubbish, because people are tempted by this, that or the other. However, poor people have little choice when it comes to food and perhaps do not know how to shop economically or how to prepare healthy food. That comes down to a lack of education about how to exist or to support oneself and I feel that schools can play a role in addressing that problem. I realise that there are food clubs and co-operatives, and I support their work. Indeed, when I was a councillor in Stirling, we got some very successful food clubs up and running and I know of some in Aberdeen.

What about exercise? Pupils in Scottish schools receive a maximum of only an hour of physical activity a week. Everywhere else in the UK, pupils get two hours a week. Such activity would help people to take up hobbies. In any case, how can people in sink estates access sports facilities? They just do not exist. We often end up with addiction in such estates, purely as a form of escapism.

A couple of years back, I visited a Right Track Foundation Ltd training course and listened to youngsters who were being taught how to budget. Food was way down on their list; accommodation was reasonably high up; but in the top three for everybody in the classroom was access to drugs, because they were cheaper than alcohol and gave them the escape from life that they felt they needed.

What about debt? Forty-nine per cent of those in debt live in social housing. The average amount of debt is £13,380. For every £1 of income, there is £22 of debt. It is far too easy to get credit, but what are we doing to assist people to get out of debt?

Brian Adam: I think that most of us would agree with the analysis of the problems and the inequalities that the member identifies. However, is redistribution part of the Conservative agenda? Will the Tories endorse redistribution to tackle inequality?

Mr Davidson: To put it very simply, if we increase taxation without increasing the efficiency of Government, we are just throwing money into a black hole, as we have seen in the health service in Scotland. The service does not necessarily improve through money alone; we must restructure it.

Redistribution is done through taxation, but it is also done by voluntary giving. We saw that done very generously in Scotland for the tsunami appeal. Redistribution existed under Conservative Governments for years, because that is where taxation comes from. Taxation is about running public services. However, we must ensure that we have businesses and jobs to get into. We cannot put up hurdles that prevent businesses from starting. I cannot believe that anyone would think that we would be against helping people into employment. We must do that. That is a form of redistribution.

On health, the Scottish Parliament cross-party group on cancer recently had a presentation from a professor from Glasgow, and it was frightening to hear of the direct correlation between so many illnesses and poverty, the lack of decent housing, the inability of people to improve their health, alcohol and tobacco use—the list goes on and on. I have not heard anything from the minister, who was previously the Minister for Health and Community Care, about how to break that cycle. I hope that the Deputy Minister for Communities might consider the issue in her winding-up speech and say what the Executive will do to break the cycle. As I said, the statistical links exist.

Poorer people have difficulties when it comes to negotiating. They often do not know their rights or how to access public services. There is a role there for the voluntary sector, but we do not do enough for that sector. Of course, rural deprivation is horrendous as well, but we never hear much about that from the Executive.

Statistics and research show that family breakdown leaves children more vulnerable to failure in their lives through poverty, unemployment, addiction, academic underachievement, sexual health problems, abuse, crime—the list goes on and on. We need to put in

more money to tackle that. There is a solution in the mediation charities, which do an excellent job of trying to hold relationships together. I have a statistical analysis—I am happy to provide the minister with a copy—that has evidence from across the world that shows clearly that we need to do more to support families and relationships to be stable, so that children can be given the opportunity of a successful life.

We have a moral duty to help those in genuine need, but not just through charitable giving; the state has a role to play as well.

The three things that I hope might eventually come out of the Parliament are more hope, more dignity and more confidence for those in deprived areas.

15:23

Karen Whitefield (Airdrie and Shotts) (Lab): I welcome the debate, because it gives us the opportunity to reflect on some of the successes that the Scottish Executive has had in tackling poverty and, importantly, allows us to face up to the continuing challenge of reducing poverty and disadvantage in Scotland.

As we have heard, some members are reluctant to acknowledge the successes that we have had since Labour came to power. However, increased economic stability, low inflation rates and low unemployment figures are essential ingredients in the battle to eradicate poverty both in Scotland and in the UK. Improvements to our primary, secondary and further education resources are meaningless if high unemployment means that qualifications are worthless in the pursuit of a job. There are increased opportunities for many people leaving further and higher education establishments, but we must ensure that such opportunities are available to young people from our poorer communities. It is vital that gateways into education for young people continue right the way through secondary and further education. At no point should our educational institutions be seen to give up on our young people.

Of course, that is particularly true for children and young people who are looked after. They are some of our most vulnerable young people and, as has been pointed out, statistics show that they are less likely to take up educational, training or employment opportunities. I welcome the Executive initiatives that the minister mentioned, which provide additional support to young people who are moving from care to independent living.

Donald Gorrie mentioned financial inclusion. Unfortunately, it is still true that many people living in our poorest communities pay more for loans and credit than does any other section of our society. It is a perverse irony that the wealthier

people are, the cheaper it is for them to borrow money. We know that 11 per cent of people in Scotland do not have access to a bank account, and that figure can rise to 18 per cent in some of our poorest communities. We also know that many people can end up in a vicious spiral of debt.

I very much welcome the growth of the credit union movement in Scotland. Information from the Association of British Credit Unions Ltd website shows that, in the past 10 years, membership of ABCUL credit unions in the United Kingdom has increased fourfold and money saved by credit union members has increased tenfold. It is also widely recognised that the credit union movement is more successful and more developed in Scotland than it is anywhere else in the United Kingdom.

Credit unions encourage saving, provide low-cost loans to members and are managed by members for the benefit of members. They often offer lending opportunities to those on lower incomes who might otherwise have turned to loan sharks or companies that charge excessively high rates of interest. In addition, community-based credit unions provide excellent work-experience opportunities to members who become active in the running and management of a credit union. I am happy to join ABCUL in welcoming yesterday's launch of the financial inclusion action plan. The plan clearly establishes credit unions as one of the key partners in tackling financial exclusion. In addition, the plan aims to increase awareness of issues such as debt and credit in our schools and to improve support services for those facing debt problems.

I had not intended to talk today about regeneration, but I feel that I need to respond to some of the comments made by Christine Grahame. I am sure that her speech will be welcomed by many in her party who are not very happy with their leadership at present. Indeed, some of her speech might even lead to a good and gripping novel, but that is where those comments should remain. I am not sure where Christine Grahame lives or which communities she represents, but if I look around my constituency, although I want more investment and recognise that more needs to be done, I certainly see renewed regeneration and massive investment going into communities.

For example, in Craigneuk and Peterburn, people in the community are working together to bring in nearly £1 million of regeneration money to build sporting facilities. They are working with all sections of the community, engaging with and responding to needs. They are working in partnership with the housing association, which has knocked down every badly built house and rebuilt it. That is just one example, and there are

many more. The ghettos that Christine Grahame talks about are being addressed, and people in communities are responding and working to address them, not always waiting for local government or national Government, but working in partnership to address their needs.

We must address the needs of local communities, in particular rural communities, with regard to transport. I certainly welcome the new criteria for Executive regeneration funding, which for the first time recognise the specific difficulties that our rural communities face. In my constituency, that means that communities such as Salsburgh will receive additional funding to tackle the problems caused by rural exclusion.

The Scottish Parliament and the Scottish Executive have made a significant start on the work of closing the opportunity gap in Scotland, but there is no doubt that much more needs to be done. I hope that we in this Parliament can work together in partnership towards a day when everyone in Scotland has the opportunity to thrive and contribute to Scottish society. That is why it is essential that we reject the SNP amendment.

15:30

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): It will come as no surprise to members if I draw the chamber's attention to closing the opportunity gap in the most rural parts of Scotland and to the problems that those areas face. I acknowledge what has been said already. We have heard reference to some of the most disadvantaged people living in our rural communities, we have been told that work is the best route out of poverty and have heard discussed access to services.

I would like to draw my colleagues' attention to east Caithness and west Sutherland in my constituency. It will come as no surprise to the minister—I hope that I did not just see him wearily shake his head—that I want to draw his attention and that of the Cabinet to the fact that, when we talk about closing the opportunity gap in Wick or Caithness, for example, any talk of downgrading essential NHS services in those areas flies in the face of the best intentions and actions of the Scottish Executive. Many of us, from all parties—me, Maureen Macmillan, Mary Scanlon and so on—have spoken frequently on the subject of maternity services in Caithness. There is clear evidence that, if those services were to be downgraded, employers—some of which are potentially big players—might be discouraged from moving into that part of the country, where we need them. A holistic approach needs to be taken. The same thing applies to dental services, general practitioner cover and so on. Colleagues have heard me talking about those subjects many

times, but, if we do not get that side of the equation right, the other side will not be right either.

Allow me to examine the example of Kinlochbervie, a small community in west Sutherland in which, as ministers are aware, there has been a downturn in fishing. None of us can get around that fact, but we face a real challenge in trying to find alternative forms of employment and to give people a sense of hope that will make them stay in the area.

When I was a child, my father—dead some 18 years now—took the old Highland attitude and said, "Go south, young man, go south." It is a tragedy that, in the 1950s and 1960s, there was no hope for many of us who were brought up in the Highlands. I have cousins in Canada, India and London but, oddly enough, I do not have many in my home town of Tain because they all had to go. Earlier, we heard that our guest who took today's time for reflection was once asked what Scotland's main cash crop is. The main cash crop of the Highlands—and let us just park the subject of the clearances—was our Highland people. That is why there are many MacDonalds, Frasers, MacLeods and so on all over Scotland and the rest of the world. Anything at all that we can do to create jobs in the Highlands is therefore worth doing.

I remember in the early, happy days of the Scottish Parliament—I see Wendy Alexander smile—hearing Donald Dewar, a man of great renown, talk about moving civil service jobs out of the central belt to the remoter parts of Scotland. His ambition was altruistic and right. I remember the warmth with which his statements were greeted by people in places such as Wick and the Western Isles and I will pay tribute to the Executive and acknowledge that it has gone some way towards achieving those aims. However, on bad days, I think that we are in danger of losing our nerve. Remember the stushie that arose when we talked about moving the Scottish Natural Heritage jobs to Inverness. Of course, when that was done, the world fell on our heads and even steady ministers were seen to blink. However, I say, "Courage, brother, let's go on down that road." That is what we have to do. In fact, when people get to Inverness, they see that it is a great place to live.

The relocation of jobs is not about adopting a Stalinist command economy approach; it is something that we can do. Even five, six or eight jobs would make all the difference in a place such as Kinlochbervie. Relocating even that number of jobs would give hope to the young people from Kinlochbervie who are in the public gallery, would encourage them to stay in the area in which they have been brought up and would lead them to fly

in the face of my father's advice to young people to go south and seek to make their lives elsewhere.

We must have the courage to carry on doing what we were doing and relocate more civil service and public sector jobs. We are in the age of broadband. Connectivity is complete: Wick can speak unto Tokyo and Peking. That is not a problem. It comes down to having the political will to do it.

Further, through every good contact that we have through the business exchange—including the minister and even me—we must try to get the private sector to realise that it might be possible to run its pensions more efficiently from some of our remoter parts.

I end with the simple statement that we are closing the opportunity gap and that I support what the Executive has done. However, as I have said and will continue to say until my dying day, we should not forget some of the remote wee places, which matter every bit as much. Someone who is born a Scottish citizen or who moves into Scotland from somewhere else, such as places of strife or trouble, has rights. One of those rights is to the same standard of health care and the same opportunities as citizens who live in some of the more prosperous parts of Scotland.

15:35

Patrick Harvie (Glasgow) (Green): The first part of the Executive's motion is that which poses the most problems. It calls on the Parliament to acknowledge

"the progress made in reducing poverty and extending opportunities".

We all acknowledge that some progress has been made, but it is not always straightforward to assess that progress in detail.

When the Executive developed the new closing the opportunity gap targets and moved away from the old social justice milestones, it stated that some of the milestones had been met, some were no longer relevant and others were just difficult to measure. The reporting on those milestones ceased in 2003. I am sure that members will agree that it is difficult both for them and for organisations outside the Parliament to get to grips with which of those targets have been delivered and which have not. I hope that it is appreciated that those with cynical minds—by which I mean minds that are far more cynical than mine—are suspicious that any future failure to meet the targets on closing the opportunity gap might be presented in the same way. They suspect that a similar decision would be made to cease reporting on them because they were deemed to be no longer relevant and that they would be dropped in favour of a new set of targets.

To build and maintain confidence in their new set of targets, ministers must be clear about which of the old milestones were achieved and which of them could no longer be measured and why. They must also explain how the new targets will be reported on and monitored and how often Parliament will have the opportunity to debate the outcomes from them.

I turn to the relationship between the UK targets and the Executive's targets. It is right that child poverty is very much on the agenda at Westminster and here. The minister was right to point out that we can see significant progress in that area. The UK has a target of eradicating child poverty by 2020 and the Executive has in the past stated its belief that child poverty in Scotland could be eradicated within a generation. I would appreciate it if the Deputy Minister for Communities could say something about how those two targets fit together in her closing speech. Should they be understood to mean the same thing? Does eradicating child poverty within a generation mean the same as eradicating it by 2020? If so, is that target still achievable and are we still on track? I also want to know where the responsibility ultimately lies. Does the buck stop with the UK Government or with the Executive? Which body is doing what?

Mr Davidson: The member is talking about targets for the future using current situations, but does he agree that we should have relative statistics—relative to the growth in wealth of the rest of society?

Patrick Harvie: I am sure that the minister will have the opportunity to answer that when she answers my question; the member's question is more for her than for me.

I want to address the equalities aspects of the targets. It would be valuable to learn what the Executive's thinking is on matters such as whether some of the targets operate differently for men and women and what Executive actions are needed to monitor how men and women are meeting or failing to meet the targets and to ensure that the opportunity gap is closed for all, irrespective of equalities issues.

Malcolm Chisholm talked extensively about the first of the closing the opportunity gap objectives—that of increasing people's chances of sustained employment. I endorse his comments about the health impacts and the self-esteem and emotional benefits of work. However, that is an ideal towards which we must strive; it is not a given. Some jobs actively undermine health, dignity and independence. Other forms of work, such as the unpaid work that takes place in the home, are not fully recognised and valued. The Green approach both to recognising the value of all forms of work and to the redistribution of wealth would not result

in the phenomenon of in-work poverty—a phenomenon that the Executive also recognises. The Green approach would also take us away from some of the poverty-trap issues that other members have mentioned.

The Labour Government at UK level has taken some steps in the direction of a citizens income scheme, but without being explicit about it. A full citizens income scheme would ensure that all people had the financial means to secure a decent standard of living and the incentive to be socially and economically active.

I also want to mention the Executive's financial inclusion work. Not only Christine Grahame, but many members across the chamber recognise that the devolution settlement is an issue in this respect. With debt having been devolved and credit reserved, we are left trying to treat the symptoms without being able to address the cure for the disease and that needs addressing. I am also sure that members, not only from the parties that support independence, but from other parties, would endorse that suggestion.

I will finish by mentioning community regeneration. Too often, the regeneration of neighbourhoods is seen as the job only of professionals—many people find the jargon, the consultations and the academic tone of that work off-putting. We must be careful not to lose the efforts and energies of people.

The Deputy Presiding Officer (Murray Tosh):

There is time for a brief contribution from Cathy Peattie.

15:41

Cathy Peattie (Falkirk East) (Lab): I congratulate the Scottish Executive on its commitment to closing the opportunity gap and mainstreaming equality. I look forward to the feedback from the pilot education and housing projects that are being undertaken as part of the Executive's equality strategy. The pilots will help us to assess our policies and allow us to move forward.

I also welcome the targets that were initiated last year to provide further evidence and tangible feedback on initiatives, one of the aims of which is to prevent individuals and families from falling into poverty. Six closing the opportunity gap objectives underpin the targets. I may not have time to talk about all of them, but I will try to do so.

The first objective is to increase the chances of sustained employment for vulnerable and disadvantaged groups. People must not be out of pocket when they take up a job. They also need access to good-quality child care, including affordable after-school provision. In terms of

people with disabilities, the first objective also involves the removal of the barriers that people with disabilities face when they seek employment. We should also not underestimate the fact that people need access to a reliable public transport system. If someone is offered a job, but cannot get a bus to their place of work, the offer is meaningless.

The second objective is to improve the confidence and skills of disadvantaged children and young people. Access to education is central to achievement of this objective. It is also essential that we eliminate gender stereotypes from the education process. We must dismiss the notion that engineering is for boys and nursery nursing is for girls. In order to address skill shortages, we need to enhance the perceived status of vocational courses and apprenticeships and give proper weight to the value of a rounded education. We must see an end to the old adage that women's work is low paid and strive for a decent wage for all workers, regardless of gender.

The third objective is to reduce the vulnerability of low-income families to financial exclusion. We heard earlier about the vital work that the credit unions and the social economy do in that respect. Voluntary sector organisations, such as our citizens advice bureaux, are also vital. People need good advice and the CABx work at local level, providing advice and support. In addition to their paid staff, a committed band of skilled volunteers of all ages help to provide that first-class service. In my constituency, the CAB also runs an outreach service. That said, the voluntary sector must never be seen as a cheap option; good funding is vital.

The fourth objective is to regenerate the most disadvantaged neighbourhoods. Jobs are important. In that respect, a good example is the Linked Work and Training Trust Central, which recruits community activists, many of whom have left school at 16, into paid community development jobs. The jobs are based in voluntary sector organisations, local authorities, the police and the health service, all of which are partners in the trust.

The trust also links jobs with learning and training, the aim of which is that the young people will undertake the degree in community development and community learning that is endorsed by the University of Glasgow. The trust has also just started a black and ethnic minority project. Linked Work has a high success rate: its students have real passports to real jobs.

It is important, when we are looking at the fight against poverty—and we need to use the word poverty—that we do not write prescriptions, but that we involve people. We must not take the attitude that says, "Here's a cheque; that will make

it all better.” Local authorities, health boards and others should work alongside communities, partnerships should be developed, and people in communities should be listened to. Projects should be evaluated to determine whether targets were reached. There should be stakeholder evaluations, so that people can say whether their service worked, and why it worked or did not work, so that people have a real voice.

Fighting poverty is for everyone. It is not for one party or another. It will not disappear with a magic wand. We need to work together, but we need to recognise that communities need a voice. I was horrified to hear Christine Grahame’s view of the communities in which I and most of the MSPs here work and live.

The Deputy Presiding Officer: I am grateful to Cathy Peattie for taking less than her allotted time. I express my regrets to Mr Sheridan and Mr Adam, who had hoped to participate in the debate, but I have to go to closing speeches.

15:45

Robert Brown (Glasgow) (LD): Today’s debate on closing the opportunity gap has been wide ranging, and has witnessed a number of important points being made across the chamber. However, when I read the competing motion and amendments, I was struck on the one hand by the broad and integrated compass of the Executive motion and how Malcolm Chisholm introduced it, and the narrow and predictably partisan nature of the Opposition amendments.

First, we have the Tories, whose only contribution to the debate, beyond the general whinge and moan that we have come to expect of them, is the suggestion that the right to choose one’s school or hospital is the ultimate panacea. I am keen on choice—it is a basic right in a free society—but I do not accept for one minute the contention that, in the context put forward by Bill Aitken, it has anything to do with narrowing the opportunity gap. On the contrary, as Wendy Alexander pointed out, the practical effect is to widen disparities in opportunity and entrench social divisions. The Tories must answer the question that Jamie Stone posed, which is, when resources, pupils and teachers are taken away from a school, how on earth is that supposed to encourage that school to improve its standards of operation?

Michael Howard’s Tories are the party that believes that it can bring about a sort of political miracle of the loaves and fishes, by reducing Government expenditure generally, putting more money into services and cutting tax, all at the same time. I do not find that proposition credible and nor does the majority of the electorate.

At least the Tories have a policy. SNP members want independence, which is fair enough, although I do not share their view. However, independence is an administrative rearrangement, rather than a policy. It might have been helpful if they had demonstrated what additional things they would do with the extra powers that they say this Parliament does not have, in the unlikely event that Christine Grahame and her colleagues ever get to sit on the ministerial benches. In fact, we had the candid and gratifying admission from Christine Grahame that if there were an SNP Administration, it could make no conceivable difference to the operation of matters within the devolved settlement. That is in effect what Christine Grahame said. Even with the SNP in power, it would make no difference.

Christine Grahame: I find that an extraordinary interpretation. I will be interested to read the *Official Report* to see how that came about. I acknowledged in my speech that there have been minor improvements in addressing some poverty, but we will never tackle the kind of estate that some in here think does not exist any more unless we have the economic power to do so. Many of Robert Brown’s colleagues agree with me to a degree.

Robert Brown: I wrote down Christine Grahame’s phraseology, which said in effect that until we have independence, “we cannot change those images.”

Those are the words that she used, in what I admit was a poetic rendering. The SNP has admitted that it cannot deal with the issue in terms of devolved powers, but neither has it said what it would do with the extra powers if it had them.

I say to Christine Grahame that the SNP amendment is craven and timorous. It states that the Joseph Rowntree Foundation wants

“a modest redistribution of wealth”.

Oddly, the amendment does not state that the SNP wants a modest redistribution of wealth, because SNP members know that if it did, they would have to make choices. Do they, as the Liberal Democrats do, support an increase in higher tax rates for higher earners in order to sustain and improve social services? Like the SSP, do they want to tax the rich and all that? They do not want any of that. They want to reduce corporation tax in the hope that it will reproduce the Irish economic miracle which, incidentally, it will not. Jim Mather’s wing of the party believes in trickle-down economics and Reaganomics, and they hint at a modest redistribution of wealth, to which they are no more committed than is Michael Howard or David McLetchie.

I return to the motion. The Scottish Executive is putting a great deal of money into what must be

one of the most comprehensive attempts ever to make a step change in the opportunities that are available to our citizens and particularly to our young people. However, as a number of members pointed out, money is vital but it is not the whole story by a long way. Attempts to mend the damaged fabric of a society of fractured families and children require not just money, but people. The central issue is the need to increase confidence and security. Like other members, I have encountered many projects, schools and individuals who have achieved that and have enabled fractured children to become decent young people and adults. Because someone took an interest in them, those young people were able to improve their skills and get a job or go to college, despite family backgrounds that were often appalling. The young people were able to seize the opportunities that were presented to them.

There are no easy answers or short-term fixes. The Executive's support for a complex range of sophisticated responses to complex issues is on the right track. Modern apprenticeships, the working for families fund, support for CABx—although more support for CABx could be provided—early intervention, drug and alcohol addiction programmes and debt advice are all part of the solution.

Greater attention should be paid to the voluntary youth sector: the football clubs; the youth clubs; the clubs that are run by the Guide Association, the Scout Association and the Boys Brigade; the cadets; the out-of-school groups; the art and drama groups; and outdoor education. Attendance at such clubs—unlike at schools—is voluntary. Such groups have a cadre of trained, dedicated leaders and deal successfully one-to-one with young people. Not for the first time, I urge ministers to nurture such organisations and support them with their training and core costs. More particularly, I urge the Executive to consider with those organisations how their expertise in developing leadership and enterprise and in supporting young people and building skills, confidence and opportunity can be used on a wider basis and in areas in which it can be difficult to find confident, committed volunteers. I support the motion.

15:52

Mary Scanlon (Highlands and Islands) (Con): Christine Grahame's party's constitutional policies are an absolute non-starter, but I commend the member's passion. As Wendy Alexander said, people are not daft, which is why they voted out a quarter of the SNP MSPs at the most recent Scottish Parliament elections.

Linda Fabiani and Patrick Harvie, two of my colleagues on the Communities Committee, made

excellent points about the monitoring and measuring of targets. It has been difficult for the committee to examine targets in the budget process, as I think that the Deputy Minister for Communities will acknowledge. The headings tend to change year after year and different budgets appear under different headings. I lectured in economics for 20 years, but even I find it very difficult to scrutinise the figures in the way that is needed.

Jamie Stone talked about Caithness. Given the booming housing market and job opportunities in Inverness, where I live, I commend the member's point, because quite often the focus is on Inverness; Caithness, Sutherland and Moray are the forgotten counties. We should not assume that the Highlands means only Inverness.

We can close the opportunity gap only by giving people choice and the opportunity to use all their talents and by giving people access to high-quality public services. We do not make the most of people's skills and access to public services is not as good as it could be.

The motion identifies a target about

"improving the confidence and skills of the most disadvantaged children and young people",

so that they can avoid poverty when they leave school. Work is the best route out of poverty, but we must not always assume that debt is a problem only for the unemployed and other people who are on benefits. Many people who are in full-time employment have serious debts. We need only consider the fact that students who leave university have average debts of about £15,000.

Tommy Sheridan (Glasgow) (SSP): Does the member accept that the single biggest growth area in poverty is poverty among the working poor? Does she accept that we must tackle low pay, which is at the root of the problem?

Mary Scanlon: Certainly, access to credit must be considered and those in employment must not be forgotten. I thank Tommy Sheridan for raising the point.

We can have equality of opportunity only when all children are assessed, diagnosed and given the learning support that they need at school. In my 20 years as a lecturer, I found that many students were diagnosed as dyslexic or as having other problems when they came into further and higher education, having fallen through the system throughout their education. That happened all too often and still happens. On my recent visit to Porterfield prison in Inverness, a prisoner spoke of learning to read and write and said that he learned more in prison because he could progress at his own rate. The education system needs to be much more cognisant of those issues and readier to

assess children and give them more support in primary school education. We tend to assume that secondary school is important because that is where our children get their qualifications, but if they do not have what they need before they leave primary school, they will not be taught to read and write in secondary.

Teacher shortages are an issue. At Nairn Academy, a teacher is absent—that happens—and there is a shortage of supply teachers. Departments have been merged and principal teacher posts lost. A supply teacher called me last week and told me that there is a private organisation in Doncaster called Timeplan Education Group through which he could offer much-needed teaching to students at a salary of £7,000 less than a normal teacher's pay and no pension. Many teachers are willing to provide supply teaching—which offers continuity, stability and consistency in education—but they are not given the incentive to do so. In Nairnshire, when a teacher is absent and pupils are worried, many parents pay for private tuition. For those who cannot pay, that is not an option, so closing the opportunity gap in passing examinations in the state sector often depends on payments to the private sector.

The same happens in the NHS. Those who want fertility treatment have to wait seven to nine months for tests before treatment will be considered, but for many, the only way to get the treatment, for which there is an age limit, is to go private. It is not an option; it is a necessity for those who want the service.

Citizens advice bureaux provide an excellent service on a shoestring. There seems to be an assumption that volunteers come free. They might give their time free, but they do not come free because significant costs are involved in providing training, computers, desks, offices, travel expenses, heating, lighting, rental and office equipment. We need to do more to encourage volunteers and to secure the funding for them.

Over the five years of this Government, bed blocking has increased from 1,724 to 1,908. However, if a patient is self-funding, that is not a problem.

I acknowledge the point that John Swinney made about the lack of continuity of care. I will leave it at that.

15:56

Ms Sandra White (Glasgow) (SNP): I thank Mary Scanlon, whose comments have made us see that new Labour and the Tories are even closer than any of us thought. Perhaps people will look at the *Official Report* to see exactly what I mean.

Let us look at some of the facts on closing the opportunity gap. If I may, I will make so bold as to read out the key poverty facts. Some members have mentioned them, but they are worth repeating. One child in three, one working-age adult in five and 190,000 pensioners live in poverty. I am talking about relative poverty, which is the real figure, rather than the figure for absolute poverty, which the Executive bandies about when it suits it to do so. If the absolute figure is better for the Executive, it will use that figure rather than the relative one. We are using the proper figures—that should be borne in mind.

The fact is that the opportunity gap is not closing for many people. My Scottish National Party colleagues have mentioned that this debate is the fourth we have had on closing the opportunity gap. The minister mentioned in his opening statement that, next week, we will be speaking about closing the opportunity gap for the elderly. That will be our fifth debate on the subject. I am not against closing the opportunity gap or speaking about it. In fact, I welcome any opportunity to close the poverty gap.

Ms Alexander: Will the member take an intervention?

Ms White: I am sorry. I will perhaps let Wendy Alexander intervene later, but not now.

As far as I am concerned, the Executive's choice of debate represents a clear abuse of parliamentary time and power. It has chosen to have this debate again today—

Cathy Peattie: Will the member take an intervention?

Ms White: No, I will not take an intervention. As I have often said in debates, it is time for some plain speaking and it is time for some truth. The people out there who really matter, who live in poverty and who find themselves in the benefits trap and in low-wage jobs, want to see action. They do not just want words; they want to see something happening. I will come to that again later. I am sure that Johann Lamont, the Deputy Minister for Communities, will answer some of those accusations or questions in her summing up.

We need look only at the Joseph Rowntree Foundation's report, which has been mentioned by many members, to see that the opportunity gap is not being closed. Parts of Glasgow that Johann Lamont and I represent are among the poorest and most deprived areas not just in Scotland, but in the whole UK. That is not something that we can sit here and say that we are proud of.

The Lib-Lab Executive has been the ruling Administration since 1999—as long as the Parliament has existed. The situation has become

worse, which also involves the UK Government and Glasgow City Council. Something has to be done about the poverty and deprivation that exist in the Glasgow area, which is why I have lodged a motion suggesting that a poverty task force be formed to investigate why areas of Glasgow suffer such severe deprivation compared to the rest of the United Kingdom.

In his speech, the minister mentioned plans to deliver on objectives and targets, which is absolutely right: we must deliver on objectives and targets in order to lessen poverty and to provide opportunities. However, the Executive needs to deliver those targets and to monitor the amount of money that is spent through social inclusion partnership projects. Those are changing, but we will get the same thing by a different name. We need to establish whether projects that are run through SIPs and other agencies are being targeted at the right areas.

Cathy Peattie: Will the member take an intervention on SIPs?

Ms White: No—I am sorry. I will not take an intervention. My colleague, Brian Adam, who wanted to speak but could not, wanted to discuss how SIPs work can be targeted and monitored. Something has to be done, as I think everyone would agree.

Robert Brown: Will the member take an intervention?

Ms White: No, but I will take an intervention from Cathy Peattie, if it is on SIPs.

Cathy Peattie: Does Sandra White agree that the work that has been done through SIPs and other regeneration projects to fight poverty—which has involved partnerships with local people, for example in the Linked Work project that I mentioned—helps people into jobs? Is the member dismissing that?

Ms White: Perhaps that is the case in certain areas, but I assure the member that in certain areas of Glasgow, such projects do not work. There is no monitoring whatever of where the money goes. The minister can reply to that in her summing up, if she wishes. I have written plenty of letters on the matter. I ask the Executive to take that up under the new umbrella organisations—SIPs by another name, with councils still distributing the money. We cannot simply say that we are directing money at certain areas if we do not know how it is being spent. People have not always been meaningfully employed as a result of money that has gone to SIP areas—they have in certain areas, but not in all. I would like the money to be monitored and targeted.

Karen Whitefield and others mentioned low unemployment. It has been suggested that it is a

marvellous thing that we have low inflation and low unemployment, but at what cost? What jobs do some people have? What wages do they earn? We are in a low-wage situation in Scotland. I have visited the Scottish Low Pay Unit and other organisations including credit unions, and I have found that the big problem is that people are living—rather, they are trying to live—on low wages.

Donald Gorrie said that we should be giving people confidence. Surely the best way to give people confidence is to give them decent jobs and decent wages so that they do not rely on tax credits, top-ups and rebates. If people can go out there, get a decent job and earn a decent wage, that will give them confidence.

The Deputy Presiding Officer (Trish Godman): You have one minute left.

Ms White: At the present time, we have a low-wage economy.

Ms Alexander: Will the member take an intervention?

Ms White: I am sorry—I was just going to mention Wendy Alexander, who spoke about financial autonomy. Basically, I prefer to call it independence, but I thank her very much for mentioning it.

Colleagues on our benches and other benches are right: unless we take control of macroeconomics—

Ms Alexander: Will the member take an intervention?

The Deputy Presiding Officer: I am sorry—the member is in her last minute.

Ms White: Unless we take control of macroeconomics, we will not eradicate the low-wage economy that we have at present. We have to take control of benefits and the taxation system of this country. I am glad that Patrick Harvie hit on a real anomaly that affects people. We have to consider the anomalies in the Scotland Act 1998. We should not shy away from them but face up to the fact that we have to take control of the macroeconomics, taxation and benefits and change our low-wage economy, in which people still live in abject poverty.

16:05

The Deputy Minister for Communities (Johann Lamont): I shall attempt to rise to Bill Aitken's challenge and concentrate on delivery rather than on rhetoric. It is my intention to say less of what I had written down formally and instead to try to respond to points that have been made. If I do not address specific points, I am more than happy to correspond with members on them.

In any debate such as this that highlights targets, objectives, strategies and approaches, we might end up obscuring what is at its heart, which is the people whose life chances are diminished, whose opportunities are reduced and whose quality of life is affected by their poverty and the poverty in their communities. This is not merely an academic debate; it is about our understanding the narrative of people's lives in our poorest communities. Many of us know the people, the faces and the places where lives can be changed and where, indeed, lives are being changed by Government action and commitment, but that action must be shaped by understanding of what needs to be changed.

There was a time when it was argued on the one hand that what we needed was free collective bargaining, which would sort everything out because there would be a trickle down to those who were poor and in low-paid jobs. On the other hand it was argued that all we needed was to get the economy right and somehow the benefits would trickle down to the poor. We do not accept trickle-down economics in our approach to poverty.

In the past few years community organisations, women's groups and others have developed the case for considering other issues that impact on people's lives, that reduce opportunities and that make it difficult for people to access the opportunities that others have. I agree with Cathy Peattie about the importance of people in the community shaping our policies. Poverty and lack of opportunity are challenges for the whole of Scotland. All of us here must take ownership of the map of poverty and deprivation and we must understand the individual experience of poverty and the experience of living in poor communities.

I say to Jamie Stone that, as the daughter of parents who left their remote part of the Gaidhealtachd to secure work and homes, I understand the rural dimension and the issue of access to services. That is why we have a target on that. We have to understand our responsibility to find out exactly where the real deprivation is concentrated and what that concentration of poverty does to people's lives, even if individuals in that community are not poor.

We want to do three things: we want to prevent people from falling into poverty in the first place; we want to provide routes out of poverty for those who have not enjoyed the opportunities that are available to the majority; and we want to sustain people in being free from poverty. We must improve access to opportunities and, crucially, provide the support and assistance that people need to take advantage of opportunities.

Sandra White said that we should give people well-paid jobs. That is right, but there are people in

our communities who are not in a position to take such jobs. We have to support them in preparing themselves for work and when they are in work. One of the lessons to learn is about people's anxiety about moving towards work. That, as well as the other parts of our targets, is important.

We have to consider the concentrations of worklessness and the reasons for them. We have to consider the stubborn inequalities in health that exist between the least affluent people and the most affluent people. When we talk about health inequalities, we have to start considering measures for prevention of ill health. We have to try to understand that the geography of ill health maps where deprivation exists. When we talk about health provision at acute-service level, proximity to health services and access to those services are two completely different things.

We have to consider the continuing low achievement of our poorest-performing pupils, which prevents them from making a successful transition out of school.

I must say to David Davidson that it is right for us to concentrate on the earlier stage. We must understand why young people in our poorest communities opt out long before they would ever have to think about tuition fees. I alert him to the fact that although I understand the importance of considering vocational training and people being turned off by the curriculum, we cannot foster the attitude that people should be hewers of wood and drawers of water if they come from poor communities.

We want to unlock the potential of all our young people, whatever they might be, for academic achievement or to go to the appropriate job. I will tell Bill Aitken what happens when people vote with their feet. In the 1980s, I taught in an inner-city school in Glasgow. People voted with their feet in many such schools. Those schools did not improve—they shut down.

We must understand that the approach that is now being taken of investing in such schools is crucial. If we talk only about supporting the individual who moves away from their community, the community is left behind and is not regenerated. Our regeneration strategy must understand that we want to support people in all such communities to learn and survive. Not only do we target young people who may be turned off—we offer them real second chances if they drop out. As I have said, it is crucial that we harness potential and talent.

Members talked about various measures at Scottish and UK levels. We work in partnership with the UK Government to transform the lives of the most disadvantaged individuals, to strengthen vulnerable families and to regenerate our most

deprived communities. I return to Brian Adam's point about practical delivery. Yesterday, I had the privilege of visiting a project called saved by the bell, which is a savings club in a Dundee primary school. The club is run by young people, who are learning early about volunteering. They are supported by adult members of the local credit union and backed by a partnership that includes Dundee City Council. We must focus on what works at a basic level. The challenge, if a measure is not working, is to reconsider it. The Opposition should not in such cases simply say that we have made a U-turn.

I will make a couple of points about what Christine Grahame said. We know that one in five pensioners lives in poverty, as she said. However, we also know that such figures are concentrated in certain areas. A balance of general spend—on things such as central heating and travel—against targeted spend applies as much to pensioners as it does to any other group.

Christine Grahame mentioned well-paid jobs and supporting people into work. She also talked about the citizens pension. The reality is that a citizens pension would be of marginal benefit to the people who are in most poverty. She then made the completely contradictory point that we throw money at this, that and something else and that that does not work. It is accepted that significant money is being provided. The challenge is in where and how we spend it. I return to the point that I made about understanding what is happening, so that we address issues such as child care.

Christine Grahame: My point is that the money that is thrown at health, at education, at bullying and at the justice system deals with the symptoms but not the causes. The Executive will continue to firefight until we deal with the underlying poverty. Of course that poverty is in pockets, because people are driven into ghettos from which they can no longer escape as they once did in the 1950s and 1960s.

The Deputy Presiding Officer: Ms Grahame, do you have a question?

Johann Lamont: I find it offensive when the people who live in my communities are described as living in sink estates or ghettos. People in my community who are struggling to work to change the situation and to highlight problems do not want to be treated as if they were part of a human menagerie.

I understand that difficult issues exist, but the idea is bizarre that poverty and disadvantage and concentrations of them can be sorted by a constitutional change that is followed by a citizens pension—the only measure that Christine Grahame highlighted—that would provide a 5p

increase for couples and a 55p increase for single pensioners.

Bill Aitken mentioned the importance of apprenticeships and talked about the public sector. He should remember that throughout the 1980s and the early 1990s in places such as Glasgow, only the city council supported young people into real training and apprenticeships; the Tories encouraged the private sector to abandon them. Important work is now being done in harnessing the private sector and working with public agencies in my constituency and elsewhere to make a real difference.

Many points have been made. There are practical points around the financial inclusion action plan, which Linda Fabiani mentioned. I agree that there are difficulties, but the reality is that it highlights poverty. We all work within the same credit framework, but we manage debt difficulties differently. If a person does not have a bank account, they will not have access to certain things.

I welcome Patrick Harvie's generally positive contribution in acknowledging the progress that has been made and asking for further monitoring of such issues.

When we discuss such matters, it is important that we have the honesty to understand the size of the challenge without allowing it to create an atmosphere of hopelessness and despair. The Executive and I are happy to work with everybody in Parliament and in our communities—which is crucial—to understand the problems and then to address them as best we can.

Constitutional Reform Bill (UK Legislation)

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-2119, in the name of Cathy Jamieson, on the Constitutional Reform Bill, which is United Kingdom legislation. I give the minister a minute to get his papers in order.

16:17

The Deputy Minister for Justice (Hugh Henry): The proposals in question are important. There are implications for the administration of justice in Scotland and for the highest court of law in the United Kingdom. For that reason, the Executive lodged a motion for a full plenary debate on 29 January last year, which welcomed the creation of the new court. Following a wide-ranging debate on the proposals as they then stood, the Parliament agreed to the motion.

The bill was introduced to the House of Lords in February last year. As a result of the constitutional importance of the issues, the House of Lords has given careful consideration to the proposals for almost a year. Today's debate, which takes place following consideration of the bill by the House of Lords and a second reading in the House of Commons on Monday, proceeds on a motion under the Sewel convention, which applies because certain aspects of the proposal to establish a supreme court touch on areas that are within the legislative competence of the Scottish Parliament. Those areas relate to the rights of appeal in civil cases from the Court of Session on non-devolution issues.

The bill must be seen not in a narrow sense, but in its wider context. It is part of the process of modernising the legal system, which is pretty antiquated in places. The bill also deals with reform of the office of the Lord Chancellor and will create a judicial appointments commission for England and Wales, which—like our Judicial Appointments Board for Scotland—will consider in an objective, transparent and impartial way the appointment of appropriate people to become judges.

The process of modernising the justice system is to be welcomed, and we support and encourage it. In Scotland, the review of the High Court by Lord Bonyon and the review of summary justice by Sheriff Principal McInnes are consistent with the drive towards a modern and responsive system of justice that serves the people of Scotland.

Pauline McNeill (Glasgow Kelvin) (Lab): Does the minister agree that although it is important to modernise our law, it is also important that

Parliament ensure that it protects the jurisdiction and framework of Scots law? Does he agree that we should do so when we modernise the constitutional framework?

Hugh Henry: I agree entirely with Pauline McNeill that it is fundamentally important that we protect Scotland's legal system and the important aspects of our judicial system. Indeed, that is why we have fought so hard to make changes, some of which have followed consideration by members of the Justice 1 Committee. I am pleased that such changes have been developed.

The proposals for the new supreme court will remove an indefensible and unsatisfactory legacy of the way the House of Lords operated in the past. The most senior judges are also members of the upper house of the UK Parliament, which is not a sensible way to operate in a modern democracy. Those who make the law and those who interpret the law should not be the same people.

The present arrangements in the House of Lords arose because of an historical accident. They lack transparency and lead to confusion in the public's perception of the two entirely different roles of members of the House of Lords. No one is suggesting that law lords have acted in a way that is not independent or impartial, but the current arrangements run the risk of being seen as lacking impartiality; it is right that we address that. I believe that we all support the independence of the judiciary, so I would be surprised if any member of Parliament defended the status quo in the House of Lords in that respect.

We must also ensure, as Pauline McNeill said, that the independence and integrity of Scots law are maintained. The separate nature of the Scottish legal system is an important part of how Parliament can operate differently, reflecting the needs and aspirations of the Scottish people. We have examined the proposals carefully to ensure the continued integrity of Scots law. Some of the specific issues have, quite properly, been of concern to members. Those include questions about the process of appointing Scottish judges. Should there be a quota of judges? Should there be a majority of Scottish judges in all cases coming from Scotland? Those issues were explored by the Justice 2 Committee last spring and in its resumed consideration last month.

Margaret Mitchell (Central Scotland) (Con): Can the minister confirm that the changes are being made because there is a perception that there could be a problem, rather than because there is a problem? That being the case, does he agree that perception should be taken into account when making declarations in the "Code of Conduct for Members of the Scottish Parliament"?

Hugh Henry: That is a farcical and spurious question, and I do not intend to indulge it with an answer.

All those issues were explored by the Justice 2 Committee. The Lord Advocate gave evidence to the committee on two occasions as well as giving evidence to the House of Lords Select Committee on the Constitutional Reform Bill. The conclusion of the Justice 2 Committee was to agree the case for the establishment of the supreme court and to agree that it should take on the current jurisdiction of the House of Lords. The views of the Justice 2 Committee in its two reports are broadly similar to the views of the Executive. The committee supported the underlying principle of eliminating confusion about the roles of the House of Lords, which sits both as a court and as a legislature.

The Justice 2 Committee, however, raised two related issues that we do not agree with. First, it proposed that there should be enshrined in legislation the requirement for a Scottish majority in the supreme court for cases that emanate from Scotland that give rise to devolution issues. In his evidence to the Justice 2 Committee, the Lord Advocate explained why that was not appropriate. Devolution issues under the Scotland Act 1998 are questions that, by their nature, raise matters of UK-wide constitutional importance, including issues involving the European convention on human rights and matters relating to the reserved-devolved divide. Indeed, all the cases from Scotland that have thus far involved devolution issues and which have been considered by the Judicial Committee of the Privy Council have raised ECHR questions. In our view, it would be wrong to create, in effect, a separate Scottish jurisdiction within the supreme court by legislating for a mandatory Scottish majority in cases that, by definition, have broader constitutional importance.

Secondly, the committee noted the continuing concern of the Faculty of Advocates that Scottish majorities in cases coming from Scotland would require the use of additional inner house judges as opposed to permanent Scottish appointees. The Lord Advocate pointed out that that is no different from the present position, which has not given rise to problems with the quality of additional judges who have been brought in from Scotland. Also, there is no case, based either on population or on level of business, for requiring that three out of 12, or 25 per cent, of the permanent judges be Scottish. There is also no case for artificially increasing the total number of judges to 15 simply to get three permanent Scottish judges; moreover, the use of additional judges would mean that the new court would take away a disproportionate number of valuable and skilled judges from Scotland.

In conclusion, it is key that the Justice 2 Committee supported the creation of the supreme court, despite its concerns. It did not feel strongly enough to reject the principle. The time has come for the creation of a new supreme court that will be clearly independent from the UK Parliament and that will recognise the separate identity of the Scottish legal system. The bill gives us the opportunity to play our part in that overdue reform, and I hope that Parliament will support the motion.

I move,

That the Parliament agrees the principle of having a clear and transparent separation between the judiciary and the legislature and agrees that provisions in the Constitutional Reform Bill establishing a Supreme Court, and provisions consequential thereto, so far as they relate to matters within the legislative competence of the Parliament, should be considered by the UK Parliament.

16:24

Mr Kenny MacAskill (Lothians) (SNP): The motion is opposed on two counts: on the procedural basis that it is the wrong way to deal with the matter and on the principled basis that it is simply the wrong thing to do. Our opposition to the constant Sewelling of matters that are important to Scottish life and the impact of that on the responsibilities of the Scottish Parliament is well known.

The motion is, however, worse than many that have preceded it. Justice is a devolved issue and our legal system is unique. Its independence is even preserved within the acts of union. In 1707, the Scottish Parliament was abolished—not re-established. Decisions were being made by an oligarchy rather than a democracy and the Scottish Government was winding down rather than gearing up. Notwithstanding those things, those who passed the acts of union ensured the preservation of the distinctiveness of our society and the uniqueness of our legal system.

That was also at a time when John Rawls had not written on the rule of law, nor had Thomas Paine written "The Rights of Man". More important, we had neither incorporated the European convention on human rights into our system, nor had we established the European Court of Justice. Whatever logic existed after the union of Parliaments has lost its relevance since the establishment of the European Union, which negates the responsibility of this Parliament to address administration of justice and renders redundant the post of Minister for Justice—it is amazing that she is not here.

Those are simply the procedural points. What of the fundamental principle of how we administer justice in our nation, with its unique system and distinctive society? A supreme court is to be created, not because the Scottish system cries out

for it or because the Scottish judiciary seeks it, but because the Lord Chancellor in London wants it. Whether in principle or in practice, it is not what Scotland wants but what the Lord Chancellor seeks to impose. The Lord Advocate—I am surprised also by his absence—is the prosecutor for a UK minister and policy, not the agent for the Scottish legal system or the defender of its uniqueness.

Pauline McNeill: I have criticisms of the process and the motion that is before us, but would the SNP remove the option for citizens to go to the House of Lords? It would be useful for the Parliament to hear the SNP's view.

Mr MacAskill: Ultimately, we have to ensure parity. We have a court of ultimate appeal in Scotland and people have the right to go to the Hague and the European Court of Justice about other matters. I believe that it would be best to change the procedures by repatriating the ultimate powers of the House of Lords to the High Court of Justiciary and the other courts in Scotland that have served us well.

As I said, the House of Lords is an anachronism from 1707. We live in the European Union after the treaties of Maastricht, Amsterdam and Nice. Now is the time to see how we work our distinctive system, not just how it integrates with London. We have to demonstrate that we accept that we are part of the European Union whose laws we have accepted. I do not think that it is logical to create a supreme court in London; it is logical to create a supreme court here in Scotland and to integrate it with other systems that we are now duty-bound to accept because of our membership of the EU.

I said, too, that there is no logic in maintaining an anachronism. The reserving of final rights of appeal to the House of Lords was done when the Scottish Parliament was being abolished. The empire was just starting and the EU as we know it had not evolved. Even then, it was made clear that Scottish matters needed to be distinct. So why, when our Parliament is re-established, when it is affected and influenced as much as it is by European and international conventions, should we abdicate responsibility to a different legal system?

I am not arguing that a United Kingdom requires a unitary legal system; I am arguing that there is an anachronism in that the final court of appeal for civil matters remains in London when the court of ultimate appeal for criminal matters rests in Scotland. That was then; this is now. We have a devolved legislature, the ECHR, the European Court of Justice and other international bodies. Why not end—rather than maintain—the anachronism of the final court of civil appeals being in the House of Lords or the supreme court in London when the final court of criminal appeals is in the High Court of Justiciary in Edinburgh?

The motion cannot be supported on the basis that civil justice is a reserved matter and criminal justice is devolved. Both matters are devolved and are the responsibility of this Parliament. It cannot be argued that it is right on the basis that there is more UK civil law than criminal law, not when drugs and firearms are covered by UK legislation but form a substantial, if not majority, part of serious crime. The notion is absurd. This motion is the wrong procedure. It is wrong in principle and I oppose it.

16:30

Miss Annabel Goldie (West of Scotland) (Con): I commence with an attempt to be positive. Unlike my opponents on other benches, my party does not disagree with the use of the Sewel procedure, although we are unable to support today's motion.

This Westminster bill has demonstrated a relevant and, I hope, constructive role for the Scottish Parliament committee system in respect of reserved matters. I thank the minister for the comments that he made in his speech. It was indeed the case that the Executive wisely postponed lodging a Sewel motion because of the strange genesis of the legislation and the unusual procedure invoked at Westminster, in which the bill was referred to a select committee of the House of Lords, with the ensuing uncertainty about the bill's shape. That was a sensible course of action to take, because it enabled the Justice 2 Committee to hold an inquiry and produce a report in May last year. Although I disagreed then and I disagree now with the substantive policy content of the bill, the Justice 2 Committee's report was a useful contributor to the debate.

As will be seen from the Justice 2 Committee's second report on the Sewel motion, which was published last week, it is encouraging that many of the points in the earlier report were picked up and addressed. There might well be a useful procedural example of good committee practice to be found in all this and I pay tribute to my committee colleagues and the clerks to the Justice 2 Committee for the work that was accomplished.

However, I speak in this debate as my party's justice spokesman and I reiterate my party's concern about the bill. What is being proposed is one of the most substantial and radical reforms of the constitution and the British legal system for centuries, yet it has not proceeded on the report of a royal commission; it is not in response to an escalating wave of discontent about the current system; and it is not the consequence of joint representations from the law societies of Scotland, England and Wales. The only specific instances of discontent of which I am aware are that the SNP just wants rid of the House of Lords and Labour

does not think that the current system is good. I do not think that those are good enough reasons to tear up the UK's system of justice. The present arrangements are not broke, so why this political fix?

Hugh Henry: I note the opposition of Annabel Goldie's party at Westminster to the principle of the proposed supreme court. However, if she opposes the proposal along with the Scottish nationalists, will she reflect on the strange and paradoxical situation in which the Conservatives in this Parliament would find themselves, if and when the proposal goes through at Westminster? We could have situations in Scotland in which we would deny people the opportunity of that further appeal; in effect, she would achieve what the Scottish nationalists seek to obtain.

Miss Goldie: I do not follow that line of argument because if the current proposals are implemented, a change that will not be for the better will be achieved. My point is that the current system has been proven to work well. For the benefit of the minister, I will expand on that as I proceed.

The Executive has made great play of the ECHR and the need for a clear separation of judiciary and legislature—indeed, the minister referred to that. However, I submit that the evidence that such a separation is compromised at present is tenuous and unconvincing. It is reported in *The Herald* today that a panel of five judges has rejected the appeal of three men against convictions and sentences imposed by temporary sheriffs appointed by the Lord Advocate after the incorporation of the ECHR by the Scotland Act 1998, yet such shrieval appointments were thought defective at the time. That is why I submit that the whole basis of the bill is unsound. The change is not necessary and the case for change has not been made. That is why my party is opposed to the bill and unable to support the motion.

16:34

Mike Pringle (Edinburgh South) (LD): The Liberal Democrats are and have been in favour of the establishment of a supreme court. In fact, our 2001 Westminster manifesto said:

"We will transfer the judicial functions currently undertaken by the House of Lords to a new Supreme Court."

The criticism might be that its establishment has taken too long.

Last March and April, the Justice 2 Committee took evidence on the bill from a range of witnesses, including Lord Cullen and Colin Boyd, and, as others have pointed out, reported in May 2004. As we all know, the bill was then most

unusually referred to a special select committee of the House of Lords. As the bill is now nearing the end of its passage, this is the appropriate time to consider a Sewel motion on it.

Some time ago, my colleague, the vice-convenor of the Liberal Democrats, Robert Brown, wrote to the Lord Chancellor suggesting that much of the apprehension over a supreme court diluting the Scottish legal system could be overcome by establishing the court in Scotland. Indeed, in a previous speech in the chamber, I suggested that the old Midlothian Council building outside the High Court would make an excellent site and hoped that Westminster would give it serious consideration. Even at this late stage, MPs could still decide to take the court on circuit outside London.

The committee's earlier report reflected the considerable concern that was expressed, not least by the Lord President, that the existence of a UK supreme court would, over time, dilute the separate identity of Scots law. That issue was addressed by the House of Lords during the bill's third reading in December 2004 and we have heard that an amendment that deals with those concerns has been tabled.

That said, the committee also heard evidence on two other substantive issues of concern that have already been referred to: the appointment process for new law lords and the number of judges who would sit on Scottish cases. The original proposal was doomed to fail. How could anyone accept the proposal that a minister—and not a particularly senior one at that—should choose from a shortlist that was submitted to him or her? Following a very sensible amendment procedure, the bill now requires a selection commission to recommend a single candidate that the minister will accept or reject—I have to say that he or she will need a pretty good reason to adopt the latter course.

Another amendment requires the selection commission to

"ensure that between them the judges will have knowledge of, and experience of practice in, the law of each part of the United Kingdom".

In his evidence, the Lord Advocate explained that such a provision would recognise the current informal understanding that two of the 12 judges will be Scottish.

Normally, there will be five judges on a bench; in Scottish cases, two of those judges will be Scottish. Although the committee suggested that, in such cases, the majority of judges should be Scottish, the Lord Advocate argued successfully that such an approach was not appropriate for a number of reasons. For example, given the size of our population and the very low number of such cases, having more than two Scottish judges on

the bench is not warranted. Moreover, the Lord Advocate pointed out that Scottish cases often have a UK-wide interest and that they almost always raise UK-wide ECHR issues.

Senior court judges could be temporarily appointed to ensure that there could be a Scottish majority if that were deemed preferable. However, I ask the minister to explain a little more about what will happen when Scottish cases come before a bench of five, nine or even 12 judges. I know that the Faculty of Advocates still has huge concerns, which the committee has brought to the attention of the Executive, the House of Lords and the House of Commons for their further consideration.

Taking all that into consideration, I recommend the motion in the name of the minister to the Parliament and hope that all members will support it.

The Deputy Presiding Officer: We move now to the open debate. I call Bill Butler. Mr Butler, I will give you a very tight four minutes.

16:38

Bill Butler (Glasgow Anniesland) (Lab): Thank you for your generosity, Presiding Officer.

I support Cathy Jamieson's motion. From their close reading of the Justice 2 Committee's report, members will be aware that a majority of committee members agreed with the case for including devolved matters in the bill. Obviously, the Conservatives, the Scottish National Party and the Scottish Socialist Party all dissented on the basis of the policy itself. Although I disagree with their position and feel that concerns about the policy have been adequately met, I accept that the points of substance and principle that they have raised continue to cause them problems. I intend to focus on those points instead of on the narrow question of the use of the Sewel convention.

The chamber will recall that the Justice 2 Committee's earlier report, which was produced in May 2004, raised a number of concerns about the bill. In the evidence that he gave on 14 December 2004, the Lord Advocate was able to refer to a number of developments that have occurred between then and now in relation to those initial concerns.

First, the committee expressed concern that the existence of a UK court could lead over time to a dilution of the separate identity of Scots law. I am glad that the Lord Advocate has been able to give detailed reassurance on that point. He has been able to point to an amendment, which is already well advanced, that would

"clarify that a decision in an appeal from England is not determinative of Scots law."

The committee was appreciative of that reassurance and thanked the Lord Advocate for it.

Another development that gave all members of the committee comfort relates to the procedure for the selection process for supreme court judges. I welcome the amended procedure, which will require the selection commission to recommend a single candidate—rather than a shortlist—for ministers to accept or reject. I feel that that is more sensible and transparent.

It would be fair to say that the composition of the supreme court in Scottish cases is a matter of substance, upon which there was a considerable amount of discussion, to say the least. From my point of view, improvements have been effected by the amendment to clause 18(5), in so far as that clause now requires that the selection commission

"must ensure that between them the judges will have knowledge of, and experience of practice in, the law of each part of the United Kingdom".

I accept that that amendment does not go as far as the recommendation in the committee's earlier report, which expressed a desire for

"a majority of Scottish judges in all Scottish cases".

I am also aware of the Faculty of Advocates' continuing concern on that particular point.

Nevertheless, I am content to accept the Lord Advocate's assurance—as noted in the committee's report—that the intention behind the amendment is

"to give explicit recognition to the current informal understanding which ensures that two of the twelve judges on the Appellate Committee have knowledge and experience of Scots law."

I also concur with the Lord Advocate's point that

"it would be wrong to write in stone inflexible arrangements that would mean that one would, in effect, have two jurisdictions within one court."—[*Official Report, Justice 2 Committee*, 14 December 2004; c 1242.]

I wish to voice my welcome for the Executive's decision to fund the supreme court—or to provide its share of the funding—from the Justice Department's budget rather than from a levy on court fees, and for the various amendments that ensure that

"the administration of the court ... will be free from ministerial control."—[*Official Report, House of Lords*, 14 December 2004; Vol 667, c 1237.]

That is vital. I further welcome the Lord Advocate's commitment, which was also welcomed by the Lord President, to legislate for continued judicial independence.

Given the progress that has been made in meeting many of the concerns articulated in Parliament last January and in the Justice 2

Committee's earlier report, I commend the motion in the minister's name.

The Deputy Presiding Officer: I call Margo MacDonald, who has, I regret to say, only two minutes.

16:42

Margo MacDonald (Lothians) (Ind): You do not regret that as much as I do, Presiding Officer.

I prefer to ask questions, rather than make a long speech. On Bill Butler's second-last point, I want to ask him whether he agrees with Lord Cullen's view that, despite the amendment, the arrangement would not be satisfactory to the practitioners of English law, so it should not be satisfactory to the practitioners of Scots law.

Nobody argues that separating the judiciary and the legislature is anything other than absolutely the right thing to do. Therefore, why has the Government baulked at doing so? In spite of the brave words about the independence of the judges who will be attached to the supreme court, the court will remain the responsibility of the Department for Constitutional Affairs and a minister who will be answerable to the House of Commons. That is not independence. Did that happen because the Government made a hash of that part of constitutional reform, in line with its efforts at reforming the Lords, or is this simply another example of Blairism and its known fondness for controlling everyone who might think differently from the great man himself?

I am aware that some lawyers think that the proposals might constitute a breach of article 19 of the act of union 1707. I will not even bother to ask the minister to give me the Executive's view on that question, because I doubt very much if it gave even a passing thought to the importance of keeping faith with the people who enshrined the independence of Scots law in the new political partnership that they forged with England. All I ask is that the minister should quietly examine the rationale for having a legislature that represents and reflects the distinctiveness of the Scottish nation. Without a history that lives on in our contemporary assumptions about and expectations of social order, custom and practice and justice, how can this place be anything other than a regional assembly as opposed to a national Parliament?

Why a Sewel motion? There have been umpteen changes since the idea of the supreme court was first mooted, so we could have done with a full debate. We will grow as a Parliament and as a body of people if we debate the hard questions. Why not repatriate civil appeals to Scotland? It makes more sense than taking criminal appeals to England. There is an illogicality

at the very heart of the proposition and, if there is time, I ask the minister to answer my questions.

16:45

Bill Aitken (Glasgow) (Con): I find myself in the highly unusual and extremely uncomfortable position of agreeing in part with what Kenny MacAskill said, but perhaps I should stress our points of disagreement with the SNP line.

First of all—in accordance with what is now customary SNP practice—Kenny MacAskill berates the Sewel system. Our objection to today's motion is not based on the fact that it is being dealt with under the Sewel procedure, which we accept and go along with; our objection is that the legislation is completely unnecessary. That is not to say that there is not an increasing difficulty with the way in which the Parliament deals with things by means of Sewel motions. I put on the record my view that that matter will have to be examined.

Turning to the principal point of this afternoon's debate, our objection is, as I said, quite simply that the legislation is not necessary. Legislation and changes to the law are prompted by public pressure and there was absolutely no pressure from the public to change the existing system. It has worked perfectly satisfactorily for centuries, so why change it? In his address to us, the minister was certainly unable to give any justification for the changes. Having looked quite closely at the arguments that were canvassed in the House of Commons, I can see absolutely no reason why members of the Commons thought that they should legislate either. It appears that Tony Blair, in pursuit of the great god of modernity, decided that the existing system was not good enough.

In his address to us this afternoon, Hugh Henry made various arguments, all of which were spurious. Is he suggesting, for example, that the existing law lords are not acting with complete integrity? Clearly he is not. Is he suggesting that they are in some way compromised by their membership of the House of Lords or that they are showing anything other than scrupulous impartiality? He does not appear to be saying that at all, so what is the specific problem? Quite simply, it is the fact that Tony Blair is somebody who can leave nothing alone. The Minister for Communities will recall that, about an hour and a half ago, I was berating him for not changing. Down south, it appears that Tony Blair and his cohorts can leave nothing alone, no matter how satisfactorily it works. No matter how public satisfaction and public faith in an institution are demonstrated, Tony Blair has to change it.

Of course, a supreme court probably sounds very sexy for the soundbites, and it is a

continuation down the road of Americanisation that Tony Blair is keen to pursue. However, the bill is basically an attack on the independence of Scots law. It really is not good enough for changes to be brought into play that are completely and totally unnecessary. There is an economic cost to the changes and absolutely no demand for them whatsoever. Kenny MacAskill pointed out that they may result in the Deputy Minister for Justice making himself redundant, which we would all regret. Basically, unless the minister—and his colleagues—are prepared to stand up and protect some of the basic principles of Scots law, he might as well not be here at all. The bill is bad legislation and we should kick it out today.

16:49

Mr Stewart Maxwell (West of Scotland) (SNP): My colleague Kenny MacAskill covered our objections to the supreme court in principle and in relation to procedure, so I will direct most of my remarks at the Sewel procedure and the Sewel motion that we are debating today.

It has been said in this afternoon's debate that we are discussing a Sewel motion, but I think that it is more accurate to say that we are actually discussing yet another Sewel motion—in other words, this is becoming a weekly event. Last week it was gambling, this week it is Scots law and next week it will be the lottery. Who knows what will come after that? It is a never-ending story.

What other country in the world would hand over control of its legal system to another country, and what Parliament would hand over control of its legal system to another Parliament? Indeed, what parliamentarians would willingly surrender control of their legal system to the whims of parliamentarians in another Parliament? The answer to that question is parliamentarians who have no self-belief, no confidence in their own country and their fellow citizens and no ambition for their country—in other words, the members of the various British nationalist parties who inhabit this Parliament and who will defend neither Scotland's interests nor, in this case, Scots law.

In this Parliament, we are constantly told that Scotland's interests will be defended by Scottish MPs in Westminster and that we should not worry about Sewel motions because Scottish Labour, Liberal and Tory MPs are fighting our corner in London. Perhaps we should look at the facts. On Monday, when the Constitutional Reform Bill had its second reading in the Commons, how many Scottish Labour MPs spoke in that important debate? None. Not one single one. Perhaps they had an excuse; perhaps they all turned up but were not called to speak. However, that is not the case. Only one back-bench Labour MP bothered to turn up, and he only popped in for about 10

minutes—10 minutes out of a debate that lasted from 3.30 in the afternoon until 10 at night. That is not a case of Scottish Labour MPs defending Scottish interests; it is a case of Scottish Labour MPs ignoring Scottish interests.

What about the Scottish Liberal MPs? Were they any better? Of course not—just like the Labour MPs, not one Scottish Liberal MP bothered to speak in the debate and only one turned up for a few minutes.

Last—and also least—the lone Scottish Tory MP, Peter Duncan, did not even consider the issue to be important enough to turn up for or vote on. So much for the idea that Scottish Labour, Liberal and Tory MPs are the defenders of Scotland.

However, the unionists in this Parliament will tell us that, even if Scottish MPs are not present, we can rely on MPs from the rest of the United Kingdom to watch out for our interests. Here is an example of what they think. Responding to the suggestion that Scottish law should be decided in Scotland by Scottish courts, the Tory front bencher, Jonathan Djanogly, asked:

“how would the court command more respect by moving from the nation's seat of power to less prestigious surroundings?”—[*Official Report, House of Commons, 17 January 2005; Vol 429, c 649.*]

That attitude makes it clear that MPs from the rest of the United Kingdom could not care less about Scottish interests. They view Scots law as inferior and Scotland as some sort of political and actual backwater.

Scottish matters should be dealt with in Scotland, devolved matters must be dealt with in Scotland and Scots law should be dealt with by Scottish judges in Scottish courts. Anything less is unacceptable.

Once again, we have seen that we cannot trust Scottish Labour, Scottish Liberals or Scottish Tories. They will not defend Scotland's interests in Westminster; we must do that here in Scotland's Parliament. What was the purpose of setting up a Scottish Parliament if we are to send Sewel motions to Westminster week after week so that that Parliament can rule on devolved matters? We are continually told that the Executive parties want Scottish solutions to Scottish problems. If that is the case, why on earth are they asking Westminster to rule on devolved matters? We must do that here in Scotland's Parliament. That is why we were elected and sent here.

I urge the Parliament to vote against the motion.

16:53

Hugh Henry: I will start by dealing with Stewart Maxwell's points about the Sewel procedure. He

asks what country would hand over control to another country. I remind Stewart Maxwell that the issue concerns giving power to our country and to our Parliament with our representatives. It is hardly our fault that the Scottish National Party at Westminster is irrelevant and ineffective. I suggest that Stewart Maxwell has a cheek to talk about anyone not turning up in the House of Commons. I remind Parliament that SNP members did not bother to turn up to vote for a minimum wage that protects low-paid workers in this country, although I give the SNP credit for turning up in 1979 to vote with the Tories to bring down a Labour Government. *[Interruption.]*

The Deputy Presiding Officer: Order.

Hugh Henry: The opposition of Bill Aitken and the Conservatives seems to be more about harking back to their desire to retain the House of Lords in the form in which it has existed for so many centuries. They want the House of Lords to stay as it is. *[Interruption.]*

The Deputy Presiding Officer: Order.

Hugh Henry: I sympathise with the Presiding Officer; it is difficult to control the rabble on the SNP benches.

Mike Pringle was right to raise concern about whether the separate nature of the Scottish legal system will continue to be recognised, but when we consider the case in principle for the supreme court, we should acknowledge that what the bill contains is an advance on the current position in several ways.

The first, which Bill Butler mentioned, is related to the issues that, as Annabel Goldie indicated, the Justice 2 Committee raised. During its consideration in the House of Lords, the bill was amended to ensure that, as part of the selection process for judges, the appointing commission

“must ensure that between them the judges will have knowledge of, and experience of practice in, the law of each part of the United Kingdom”.

That is an important safeguard as far as the Scottish position is concerned. The bill requires that the membership of the court must comprise judges who have not merely acquired a good knowledge of Scots law, but who have experience of practice in Scots law. The bill sets out that safeguard for Scotland in statute for the first time.

The second way in which the bill is an advance was also dealt with by Bill Butler. The Lord President of the Court of Session raised concerns that the creation of the new supreme court might lead to an anglicisation of Scots law. Cases that emanate from Scotland that are at present decided by the House of Lords are binding only in relation to Scotland and cases that emanate from England and Wales that are decided in that way

are binding only in relation to England and Wales. The Lord President was keen to ensure that the current position regarding the binding effect of decisions would continue. Like the Justice 2 Committee, we saw the benefit of having a declaratory provision to ensure that decisions would be binding only in relation to the jurisdiction from which they came and a clause to that effect was agreed to during the third reading of the bill in the House of Lords on 20 December. That, too, is a safeguard for Scottish interests that is set out in statute for the first time.

The third way relates to some of the concerns that the House of Lords raised on the governance arrangements for the new court, to which Margo MacDonald alluded. Unfortunately, I do not have time to pick up on Margo MacDonald's other points. The UK Government tabled amendments to establish the supreme court as an independent statutory body with its own chief executive, who will be an accountable officer who is responsible in his or her own right. The court will have independent financing from the consolidated fund. Although the Secretary of State for Constitutional Affairs will be responsible for ensuring that the new court has adequate funding, that funding will be ring fenced and it will be up to the chief executive to determine how to utilise those resources to ensure that the court's administration is effective. Even though the criticism that the Department for Constitutional Affairs is an English department was never fair, I hope that the amendments offer reassurance.

Those issues are important, but the underlying issue is the principle of whether this Parliament supports the creation of a respected, transparent and modern court that is worthy of its place at the apex of the legal system and is independent from the House of Lords. Unlike the Tories, we do not want the House of Lords to continue in the same old tired way.

Margo MacDonald *rose*—

Hugh Henry: We have a choice. By supporting the proposed reform, we can create a court that befits its role in dealing with legal cases of the highest importance—cases that affect the lives and liberties of us all. Alternatively, we can reject the new court and send a signal that portrays the Scottish legal system not as open, mature and innovative, but as insular and backward looking.

Margo MacDonald: Will the minister give way?

The Presiding Officer (Mr George Reid): The minister is in his final minute.

Hugh Henry: If we reject the motion, we will not stop the supreme court coming into existence. It must and will exist to deal with Scottish devolution issues, as well as cases from the other jurisdictions that make up the United Kingdom.

The Conservatives have not addressed the fundamental problem of what would happen if they were successful—which they will not be—in persuading the Parliament to reject the motion. As a modern Parliament, we should support the creation of a modern court to operate at the top of the UK legal system.

Business Motion

17:00

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-2272, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 26 January 2005

2.15 pm	Time for Reflection
<i>followed by</i>	SPCB Question Time
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Executive Debate: Elderly People
<i>followed by</i>	Motion on Railways Bill – UK Legislation
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Thursday 27 January 2005

9.30 am	Parliamentary Bureau Motions
<i>followed by</i>	Scottish Conservative and Unionist Party Business
12 noon	First Minister's Question Time
2.00 pm	Question Time— Education and Young People, Tourism, Culture and Sport; Finance and Public Services and Communities; General Questions
3.00 pm	Ministerial Statement: Sexual Health
<i>followed by</i>	Stage 1 Debate: Budget (Scotland) (No.2) Bill
<i>followed by</i>	Motion on National Lottery Bill – UK Legislation
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Wednesday 2 February 2005

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Stage 1 Debate: Gaelic Language (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of the Gaelic Language (Scotland) Bill
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions

5.00 pm Decision Time
followed by Members' Business
 Thursday 3 February 2005
 9.30 am Parliamentary Bureau Motions
followed by Scottish National Party Business
 12 noon First Minister's Question Time
 2.00 pm Question Time—
 Environment and Rural
 Development;
 Health and Community Care;
 General Questions
 3.00 pm Executive Business
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business—[*Ms Margaret Curran.*]
Motion agreed to.

Parliamentary Bureau Motions

17:00

The Presiding Officer (Mr George Reid): The next item of business is consideration of three Parliamentary Bureau motions. I ask Margaret Curran to move motion S2M-2266, on the approval of a Scottish statutory instrument, and motions S2M-2267 and S2M-2268, on the designation of lead committees.

Motions moved,

That the Parliament agrees that the draft Waste (Scotland) Regulations 2005 be approved.

That the Parliament agrees that the Justice 1 Committee be designated as lead committee in consideration of the Solicitors (Scotland) Act 1980 (Compensation for Inadequate Professional Services) Order 2004 (SSI 2004/550).

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Title Conditions (Scotland) Act 2003 (Notice of Potential Liability for Costs) Amendment Order 2004 (SSI 2004/552).—[*Ms Margaret Curran.*]

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

Decision Time

17:00

The Presiding Officer (Mr George Reid):

There are seven questions to be put as a result of today's business. The first question is, that amendment S2M-2265.2, in the name of Christine Grahame, which seeks to amend motion S2M-2265, in the name of Malcolm Chisholm, on closing the opportunity gap, be agreed to. Are we agreed?

Members: No.

The 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)
 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)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (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)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (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, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (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)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 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)
 Scanlon, Mary (Highlands and Islands) (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)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS:

MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)

The Presiding Officer: The result of the division is: For 36, Against 79, Abstentions 2.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S2M-2265.1, in the name of Bill Aitken, which seeks to amend motion S2M-2265, in the name of Malcolm Chisholm, on closing the opportunity gap, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baker, Richard (North East Scotland) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 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)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Tosh, Murray (West of Scotland) (Con)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)

Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 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)
 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)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morgan, Alasdair (South of Scotland) (SNP)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 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)
 Robison, Shona (Dundee East) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

The Presiding Officer: The result of the division is: For 19, Against 96, Abstentions 4.

Amendment disagreed to.

The Presiding Officer: The third question is, that motion S2M-2265, in the name of Malcolm Chisholm, on closing the opportunity gap, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 Baker, Richard (North East Scotland) (Lab)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (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)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 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)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 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

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 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)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Swinburne, John (Central Scotland) (SSCUP)
 Tosh, Murray (West of Scotland) (Con)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Crawford, Bruce (Mid Scotland and Fife) (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)
 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) (Ind)
 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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 71, Against 19, Abstentions 29.

Motion agreed to.

That the Parliament acknowledges the progress made in reducing poverty and extending opportunities in Scotland

but recognises there is much more to do; welcomes the Scottish Executive's commitment to closing the opportunity gap for those most excluded in urban and rural communities, and supports the Executive's plans to deliver objectives and targets for increasing the chances of sustained employment for vulnerable and disadvantaged groups, improving the confidence and skills of the most disadvantaged children and young people, reducing the vulnerability of low income families to financial exclusion and multiple debts, regenerating the most disadvantaged neighbourhoods, increasing the rate of improvement of the health status of people living in the most deprived communities and improving access to high quality services for the most disadvantaged groups and individuals.

The Presiding Officer: The fourth question is, that motion S2M-2119, in the name of Cathy Jamieson, on the Constitutional Reform Bill, under United Kingdom legislation, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (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, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (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)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)

Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 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)
 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)
 Johnstone, Alex (North East Scotland) (Con)
 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) (Ind)
 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)
 Ruskel, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)

Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 63, Against 56, Abstentions 0.

Motion agreed to.

That the Parliament agrees the principle of having a clear and transparent separation between the judiciary and the legislature and agrees that provisions in the Constitutional Reform Bill establishing a Supreme Court, and provisions consequential thereto, so far as they relate to matters within the legislative competence of the Parliament, should be considered by the UK Parliament.

The Presiding Officer: The fifth question is, that motion S2M-2266, in the name of Margaret Curran, on the approval of a Scottish statutory instrument, be agreed to.

Motion agreed to.

That the Parliament agrees that the draft Waste (Scotland) Regulations 2005 be approved.

The Presiding Officer: The sixth question is, that motion S2M-2267, in the name of Margaret Curran, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 1 Committee be designated as lead committee in consideration of the Solicitors (Scotland) Act 1980 (Compensation for Inadequate Professional Services) Order 2004 (SSI 2004/550).

The Presiding Officer: The seventh and final question is, that motion S2M-2268, in the name of Margaret Curran, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Title Conditions (Scotland) Act 2003 (Notice of Potential Liability for Costs) Amendment Order 2004 (SSI 2004/552).

Eco-schools Programme

The Deputy Presiding Officer (Murray Tosh):

The final item of business is a members' business debate on motion S2M-2141, in the name of Cathie Craigie, on the eco-schools programme. The debate will be concluded without any question being put. I invite those members who wish to speak in the debate to press their request-to-speak buttons now, and ask those members who are leaving the chamber to do so as quickly and quietly as possible.

Motion debated,

That the Parliament recognises the importance of education in raising environmental awareness; notes the continuing and growing success of the Eco Schools programme, run in Scotland by Keep Scotland Beautiful; encourages the Scottish Executive to give continued support to the programme, and congratulates Whitelees Primary School in Cumbernauld on being the 100th school in Scotland to be awarded a Green Flag.

17:07

Cathie Craigie (Cumbernauld and Kilsyth)

(Lab): Thank you, Presiding Officer, and thanks to members who signed the motion and who have taken the time to stay for tonight's debate. I know that many more members would have been here tonight, but they have other engagements. They send their best regards to everyone who is taking part in the debate.

I appreciate members' interest, and I know that young people and staff who are involved in eco-schools appreciate the support of MSPs. I thank Ann Kay, the head teacher of Whitelees Primary School, for organising a trip here today for pupils and staff from Cumbernauld and Kilsyth. I also thank Michael O'Neill, the director of education at North Lanarkshire Council, for picking up the tab for the visit.

The eco-schools programme is an international initiative that is designed to encourage whole-school action for the environment. The way in which we treat our environment is perhaps one of the biggest responsibilities that we have as human beings. Environmental issues can be global, national or local, but we cannot and we must not disregard any of them. Indeed, we do so at our peril.

We know only too well that behaviours that are learned at a young age are hard to break later in life, which is why eco-schools are so important. Did any member who sits in this chamber know what the burning environmental issues of the day were when we were at school? I doubt it. Perhaps some of us did, but I am sure that we had neither the knowledge nor the know-how that is displayed by pupils from eco-schools.

Pupils from my constituency have benefited greatly from their involvement in the project. We have with us in the gallery pupils and staff from Whitelees Primary School, Abronhill Primary School, Kildrum Nursery Centre and Our Lady's High School in Cumbernauld. Those schools have been awarded green flags in recognition of their achievements through the project. Their involvement has not just taught pupils about the importance of the environment, but given them the knowledge and confidence to live their lives in a much more environmentally friendly and sustainable way, and to use that knowledge in all that they do.

When we take our glass bottles to the bottle bank or put out our newspapers for recycling, it is easy to wonder how much difference we make as individuals, but after learning about the work of eco-schools, I now bank my bottles with more confidence that the young people of Scotland are more aware than ever before of how the consequences of our actions impact on our environment. I also have confidence that they have the desire to do something about that.

The benefits of the eco-schools programme do not just reach the pupils who participate. Mums and dads are much more likely to turn off the tap if they are told off by their kids every time they leave one running unnecessarily. Granny might not know how much energy she wastes when she leaves her television on standby at night, but she will not forget after she has heard all about the energy projects and topics that her granddaughter is involved in at school.

Government has an incontestable responsibility to support programmes such as eco-schools and I congratulate the Executive on the financial support that it has given to the programme during the past three years and its commitment to continue to support the programme. The programme has taken off in the past few years. The number of schools that are involved has increased by 800 per cent, from 206 three years ago to 1,673. Some 130 schools have achieved the prestigious green flag award, 464 schools have achieved a bronze award and 198 schools have achieved a silver award. Most notable, Whitelees Primary School in North Lanarkshire became the 100th school in Scotland to achieve a green flag, which I think was awarded in June 2004. Involvement and interest in the programme grow year by year and I want the figure to rise at the same rate during the next three years, because environmental issues should and must be an integral part of teaching and life in every school and home.

The eco-schools programme gives young people a sense of ownership of the tasks on which they embark by involving them in decision making, in identifying problems in their schools, in financial

considerations and in actively solving problems, to make their schools as environmentally friendly as they can be.

North Lanarkshire Council is to be congratulated on its support and encouragement for the programme. I understand that percentage pupil participation in the programme is greater in North Lanarkshire than in any other local authority and that Our Lady's High School in Cumbernauld is one of a very small band of secondary schools in Scotland to be awarded a green flag. I challenge colleagues to find out the participation rates in their areas and to ensure that all schools in their constituencies know about the programme and have the support to take part. We should continue to give our whole-hearted support to schools, to the keep Scotland beautiful campaign and to everyone who is involved in the eco-schools programme. We should let the Scottish Executive know that we welcome its involvement and contribution, which should continue to grow, to reflect the growing demand for and interest in such valuable work.

I want to put on record some of the thoughts of the young people from Whitelees Primary School about what "eco" means to them. I think that I had seven minutes in which to make my speech, so I hope that I will have time to do so.

Lewis Foggin, who I think is on the eco-school committee, says:

"Eco means saving our planet and everyone should do their bit to help out. I always try to reduce the amount of energy used by turning down the heating and turning off lights whenever possible. We need to stop using up natural resources so that future generations will be able to survive. My goal is to get more people on board the eco ship. I'm hoping that this will make people realise how valuable our planet is and how limited our natural resources are.

Lewis goes on to say that the magic words are "reuse, reduce and recycle". If we made that our slogan, we would create a better environment and a more sustainable country and planet.

The Deputy Presiding Officer: Members should make four-minute speeches, please.

17:14

Mr John Swinney (North Tayside) (SNP): It is my pleasure to contribute to the debate and to congratulate Cathie Craigie on bringing forward for discussion a very important topic. When she talked about taking her collection of bottles to the bottle bank with pride, I assumed that she was referring to the fine bottles of mineral water that are supplied to members, which are produced in my constituency, rather than to the green bottles that contain something else.

The eco-schools initiative is important and I warmly support it. It is a splendid opportunity to

build into teaching a practical illustration of the components of the value and citizenship part of the school curriculum. In my research into the issue and in talking to the one eco-school in my constituency, the Royal School of Dunkeld Primary School, I have been struck by the central point that the initiative is not a peripheral part of the school's activity. It does not take place at the margins of the school, but is built into the school's work, ethos and curriculum, and the children are very much part of that.

That is the approach that is taken by the Royal School of Dunkeld Primary School, where the head teacher, Sandy Howe, and his staff have been working hard. They have now acquired third flag status, which is a continuation of the important work to build the initiative into the school's curriculum. Cathie Craigie is right that it begins to change the focus, attitudes and perspective of the young people who are involved in the project and to increase their awareness. It also—dare I say it—teaches some of their parents a lesson about how to be more sensitive to the use of resources.

Among the key points that have been included in the Royal School of Dunkeld's working activities is a near compulsion about recycling and the use of resources within the school. The children monitor the use of energy within the school through regular involvement in taking meter readings and comparing them month on month to see how much energy is being used in the school. In the school's splendid grounds, the children have been encouraged to create a place not only for playing, but for learning. They have created a natural habitat in which wildlife flourishes and in which they can grow their own produce, which is then used in the school's catering service, thereby giving the children the opportunity to experience high-quality produce that they have been responsible for nurturing from start to finish. As a comprehensive initiative for building into our school curriculum, the eco-schools programme is first class and worthy of our support.

As policy makers, we have an obligation to ensure that the initiatives over which we preside can include some of the lessons and arguments from the eco-school programme. I have mentioned before in debate—the minister has heard me do so—the very exciting proposals to renew the school estate in my constituency, particularly at Breadalbane Academy, and at Crieff High School in the constituency of my colleague, Roseanna Cunningham. The proposals to renew those schools are underpinned by new heating systems that will be powered by wood fuel, which is designed to be the most sensitive use of resources, particularly in Highland Perthshire, where there is an abundance of wood fuel.

One of the practical difficulties of doing that is that, because the school building proposal has been progressed as a public-private partnership project, it cannot gain access to the grant funding to make the more expensive heating system possible. That funding is available only to councils, not for PPP projects. I have raised that issue with the Deputy Minister for Enterprise and Lifelong Learning, who has taken a tremendous amount of interest in the project, and I am optimistic that the prospects for bringing some of the values of the eco-schools initiative into the design of a major school building in my constituency through the practical solution of the heating system are taking a turn for the better.

The key point of the debate is the importance of building into the ethos of our education and policy-making systems the values of preserving our natural resources and using them wisely. The debate undoubtedly helps in the discussion of those important issues.

17:19

Alex Johnstone (North East Scotland) (Con):

It is my pleasure to congratulate Cathie Craigie on securing the debate. It is something of an education for me to be speaking this evening, because I did not know much about the eco-schools programme until the debate was scheduled and I had to learn about the initiative quickly. In fact, my presence in the chamber is to some extent part of that learning process and I look forward to hearing the rest of the debate.

It is important that we recognise just how much things have changed not only in education, but in politics. It was not so many years ago that Robin Harper was a lone voice on the political front campaigning for the ecology of the planet. Now, ecology and concern for the continued existence of our natural environment are central to the activities in which we in the Scottish Parliament are engaged.

It is only appropriate that our schools should engage in the same process. The eco-schools programme has done a great deal to encourage young people to think responsibly about ecology. I would go so far as to suggest that young people think positively on the subject rather more quickly than the majority of politicians are prepared to do.

When we speak to young people about politics in general, we are often met with a blank response, as young people feel that politicians have little in common with them in relation to what they think and their hopes for the future. Yet here we are, following young people in concerning ourselves more about the environment and considering ways in which to be positive in working for its future. I hope that the eco-schools

programme will give us a generation of young people who understand the need not only to become involved in environmental issues, but to engage with politicians so that, in the longer term, we can reflect their views.

As I draw my remarks to a reasonably premature end, I take this opportunity to associate myself and the Conservative party with the motion's congratulations to

"Whitelees Primary School in Cumbernauld on being the 100th school in Scotland to be awarded a Green Flag."

17:22

Iain Smith (North East Fife) (LD): I am pleased to participate in the debate and to congratulate Cathie Craigie on securing it. The debate provides us all with the opportunity to review how successful eco-schools have been in our constituencies and to take the initiative, as Alex Johnstone is promising to do, to learn more about and to become involved in the programme.

I am pleased to say that, in my constituency of North East Fife, there is already considerable involvement in the eco-schools programme. Thirty-nine schools are registered, including two of the three secondary schools, one nursery school and 36 primary schools. Of those 39 schools, five have been awarded green flags. Three schools—Balmullo Primary School, Colinsburgh Primary School and Leuchars Primary School—have bronze awards. A further three—Dairsie Primary School, Dunbog Primary School and Rathillet Primary School—have silver awards. New Gilston Primary School, Pittenweem Primary School and Strathkinness Primary School have their first green flags. Guardbridge already has two flags.

I make special mention of Dunino Primary School, the first mainland school in Scotland to achieve green flag status. It was also the first school in Scotland—I think that it is still the only one—to receive permanent green flag status, having been awarded its fourth green flag in 2004. I was delighted to be invited to the reception for that award last year and to have been asked two years previously to present the school with its third green flag.

The scheme is an excellent education initiative, which very much involves the whole school—indeed, that is the important aspect of the programme. It requires leadership from the head teacher and staff of the school, but children are very much part of it. To achieve green flag status, it must be shown that children have been involved, in a committee, in developing the eco-programme for their school. That forms part of the overall curriculum that is being developed. The programme is good for promoting many of the environmental measures that we wish to be taken in Scotland. It also relates to healthier living.

I will mention some of the things that the flag-winning eco-schools in my constituency have been involved in. The most recent winner, Strathkinness Primary School, received its first flag in the summer of 2004, having been involved in a composting initiative. The school has been revamping its garden, pond and playground areas and it is saving water and energy and promoting healthy eating, with support from the whole community. Pittenweem Primary School, which has also received its first flag, has been involved in monitoring the use of paper, energy and water, as well as issues around transport and healthy eating. Those are all important aspects of the work of eco-schools.

Guardbridge Primary School took part in a fuel energy consumption monitoring exercise similar to the one that John Swinney referred to and it cut its fuel bills by £640. There might be lessons for us all in that, as we could all do more to protect our environment by reducing our fuel use and we could save ourselves a bit of money by being a bit more careful about our energy use.

Dunino Primary School has permanent green flag status because it has a good school atmosphere. The school is small—it has fewer than 20 pupils—but there is involvement at every level from primary 1 through to the senior pupils and the head teacher, who has become the co-ordinator for eco-schools throughout Fife. The school was awarded its first green flag in May 1998. It has developed a wildlife garden, a pond and a bird-table. It has been monitoring energy use and has saved more than £600. Water consumption in the school has also been reduced. Last summer, I was delighted to see the school's latest initiative, which involved building a greenhouse out of 2-litre soft drinks bottles—I say to John Swinney that they were a mixture of green and white bottles.

Such initiatives involve the whole community and are important for sustainability. We should congratulate those eco-schools and encourage every other school to become involved.

17:26

Ms Sandra White (Glasgow) (SNP): I thank Cathie Craigie for securing the debate and congratulate her on it. I apologise that I will not be able to stay after my speech—I have a meeting to attend, as I informed Cathie Craigie in an e-mail.

I reiterate what John Swinney said. People think that eco-schools relate only to environmental issues, but that is not the case. I am glad that Cathie Craigie and John Swinney explained the other aspects; it is good to be able to say exactly what eco-schools are. Although in my area of Glasgow we have inner-city schools, we can

create a green lung through schools, with planting and so on. Through the eco-schools scheme, schools can speak to and become involved in the community.

St Peter's Primary School in Partick, which is part of the constituency that I represent, produced a report about the benefits of the eco-schools scheme. The report says that the children have increased self-confidence and discuss in public, and with the public, issues that are important to them, something that we in Scotland have been sadly lacking over the years, according to the report. The children develop a greater awareness of the community and learn how to fit into their environment and how their actions impact on other people—that is important in relation to good citizenship as well. They also learn where Scotland stands in relation to other countries and how we all need to help other countries to develop, particularly after disasters and wars.

The children are encouraged to co-operate with other schools in the community. In the Partick area, St Peter's Primary School and Kelvinhaugh Primary School have worked together on gardening projects, which encourages friendship between the schools. The children are excited about getting involved with the Clyde River Foundation. Along with the University of Glasgow, St Peter's is raising brown trout from eggs, to release the fish into the wild. That teaches the kids exactly how the animal kingdom works. The River Kelvin is now sufficiently cleaned up that brown trout can be released into it; the trout will be monitored until they reach maturity.

The teachers have reported on the children's self-confidence, teamwork and ability to listen to others and care about what happens around them. For me, that is what eco-schools are about—caring for not just the environment but one another. The scheme promotes good citizenship.

Members have talked about funding. The number of eco-schools has increased by 800 per cent and people are asking for additional funding or a promise of enough funding to enable the scheme to extend to more secondary schools and other areas. I congratulate all the schools that have been awarded the green flag.

17:29

Susan Deacon (Edinburgh East and Musselburgh) (Lab): I join others in congratulating Cathie Craigie on securing the debate and Whitelees Primary School and the other schools in Scotland that have taken part in the scheme on achieving so much through their participation.

I have a local interest in the scheme, because I learned much from early eco-schools work that

was undertaken on my doorstep. If I may be forgiven, I will single out Portobello High School in my constituency. As some people in the chamber and those who are involved in running the scheme know, that was the first secondary school in Scotland to win a green flag award.

One of the first visits that I undertook after being elected as an MSP was to that school. That opened my eyes to some of the work that was going on and could be undertaken when schools had the leadership and enthusiasm to develop the work. Since that time, the work in Portobello and nationally has progressed in leaps and bounds. I was and remain persuaded of the importance of such work in schools.

I know that many examples exist throughout the country, but I refer anybody who is in any doubt about the value of the scheme to the Party 4 the planet website, which sets out fully and enthusiastically the range of initiatives and activities in which Portobello High School pupils have been involved for several years as part of their work, on which I congratulate them.

I am pleased that other schools, including schools in my constituency, have signed up for the programme and are moving forward. Leith Academy and Castlebrae Community High School have bronze awards. At the primary level, Towerbank Primary School, Prospect Bank School and Parsons Green have all achieved awards. I single out for special mention the Royal High Primary School, which was the first in Edinburgh to win silver status under the scheme. It is fair to say that some schools rather close to home have led the way.

Those schools have not done that in isolation—they would not mind my saying that. They have had the support of the Scottish Executive and keep Scotland beautiful. At a local level, I have been particularly impressed by the City of Edinburgh Council's work to support the scheme, in which 98 schools throughout the city now participate. I applaud the council's efforts to support that work.

I pay tribute to the Lothian and Edinburgh Environmental Partnership, with which many people who live in the Edinburgh area will be familiar. I have been hugely impressed by the work that that organisation has undertaken in recent years in partnership with a host of organisations. Initiatives include a wide range of work with local authorities on matters such as kerbside collections and targeted work in schools, which ranges from LEEP's school cans competition to an education and resource pack and project called talking rubbish, which it launched about a year and a half ago. I remember that well, because I launched it. It is very dodgy for a politician to be photographed beside a big sign

that says "Talking rubbish" and I would appreciate it if members said nothing beyond that. Suffice it to say that I thought that I took that chance in a good cause.

I congratulate all those who are involved in such work. I echo strenuously the point that Cathie Craigie made at the outset, and on which others have touched, about the importance of educating and developing awareness among our youngest children. Through childhood and adult life, I had repeated arguments and fallings-out with my mother because she threw nothing out. She used to say, "That's the generation I'm of—I lived through the war years and rationing. Besides, I discovered recycling before it was trendy." I have reflected on that a lot. Some of us are part of a generation that has taken a cavalier approach to the use of the earth's resources. We need to work hard to ensure that our children do a bit better than we have.

17:33

Robin Harper (Lothians) (Green): I congratulate Cathie Craigie on bringing an important subject to the chamber. I echo Iain Smith's sentiments about Dunino Primary School. If anybody wants to see an argument for retaining all our small rural primaries, they should visit Dunino. I also echo what Alex Johnstone said about politicians and young people. Whenever I go to schools, my message is, "Don't wait for us, guys—get moving." That is a message for those people in the public gallery, too.

The excellent progress that eco-schools have made in a relatively short time is to be praised. I have had the privilege of visiting nursery, primary and secondary schools with awards and green flag status. Of particular note in my constituency are Currie High School and St Leonard's nursery. I have been particularly impressed by the whole-school approaches that I have observed and by the young people's enthusiasm and involvement.

Now that nearly half of Scotland's schools have become involved in the project, it is clear that we could probably involve all Scotland's schools with a fairly small amount of further investment. That is certainly the ambition of people on the ground and it should be the ambition of the Executive to give the schools the support that they need.

I see the eco-schools approach as an essential foundation for the teaching of sustainability, environmental education and citizenship and for the development of outdoor education and education in the outdoors. This next decade is the United Nations Educational, Scientific and Cultural Organisation decade for sustainable education development. The United Kingdom sustainable development strategy will be published on 1 March

and we should be working out how we in Scotland can integrate all our local strategies to feed into the UNESCO and UK sustainability strategies. Education 21 Scotland, the Scottish sustainable secondary schools partnership and the sustainable development education liaison group have strategies and there are International Development Education Association of Scotland—IDEAS—grants for learning. There are also significant inputs from RSPB Scotland, WWF Scotland and at least seven other non-governmental organisations. Those all need to be integrated.

With all the problems that our environment faces and the threats to our survival as a species, it is surely our duty to educate a new generation of citizens with the knowledge, skills and empathy to create a new and safer society. I echo what John Swinney said about embedding those things in our education. We have made a good start with eco-schools and, if we work at it, we will soon have an ethos and atmosphere throughout our education system within which we can develop sustainability education.

What are the next steps? One must be the rapid training of serving teachers from as many disciplines as possible in the principles of sustainable development education and the introduction of courses for all teachers in all Scotland's teacher training colleges. The minister may be aware that the introduction of courses in systems thinking in initial teacher training in Dundee and Strathclyde can be a good platform on which to build further training in sustainability education.

Over the past five years, I have consistently urged ministers to consider the important aims of education that lie outside the simple imparting of knowledge. We should pay close attention to the work of the education theorist Gardner on multiple intelligences; we must recognise that the Scottish education system still tends to ignore or undervalue a whole range of skills and intelligences. Social skills of empathy and understanding, self-confidence, the ability to assess risks and many other skills—WWF, which is making a great contribution to sustainability education, has identified 12 skills—are highly susceptible to development and improvement through sustainability education, outdoor education and the eco-schools project. I urge the Executive to consider incremental increases in funding for those developments over the next five to 10 years, to identify where we want to be at the end of this decade and to get there.

17:38

Fiona Hyslop (Lothians) (SNP): I, too, congratulate Cathie Craigie and Whitelees Primary

School, which must be a special school to be the 100th school in Scotland to be awarded a green flag, although I feel sorry for the schools that were 99th and 101st.

A striking feature of schools that are involved in the eco-schools initiative is the sheer enthusiasm and energy that one feels from the pupils and teachers. The initiative has captured the imagination of schools throughout Scotland. The sheer momentum and pace of development, which have been reflected in a number of speeches, testify to that.

I want to put to the minister the opportunities from an educational point of view in particular. Obviously, the eco-schools initiative is a practical example of what the national priorities are in relation to lifelong learning and active citizenship. The whole-school approach and the ethos approach are important and the democracy in pupils' councils and the eco-schools committee embodies active citizenship at an early stage. The auditing of the local environment, practical and effective links with local councils and links with other organisations are obviously important. Some 50 per cent of schools in West Lothian are involved. Eighteen schools have received a bronze award, 15 schools have received a silver award and five schools have received green flag status.

One thing that strikes me about the pupils' democratic involvement in deciding the priorities for their schools is the understanding that sustainability and environmental protection are ultimately about power and decisions. They are about local powers and decisions in schools, but they also reflect the global responsibilities that all of us have. It is a matter of learning from experience and what one does rather than simply what one says.

The eco-schools programme is a classic example of how principles can be infused through the ethos, management and activities of a school rather than through things being taught and learned in the classroom. When I have spoken to eco-schools, their message has been that they want to progress and do more. With 100 schools having received green flag status, schools are now looking to emulate the school to which Iain Smith referred.

Lowport Primary School, which achieved green flag status recently, contacted me about what it would like to ask of the minister, who might be able to help in his summing up. The school is keen for us to take a national perspective on eco-schools and to put in place a national eco-schools co-ordinator. Its concern is that although local authorities have appointed co-ordinators in their local areas, the designated officer already has a large remit in other areas of education and the

environment. The school wants to ensure that there is some national co-ordination as well. Typically, the children want to know what the next step is and what they can do next. Having achieved green flag status, they are keen to see future development of the programme so that they can go beyond that.

As somebody who is related to an eco-schools committee member, I think that the perspective that they bring to the home environment is very important. Perhaps we should look at the budgets for environmental sustainability on a national level and think about the most effective way of reaching the people who make decisions about recycling in the home. If we really want to get Scotland into recycling mode to meet the targets that we have set, what more effective way could there be of doing that than by giving eco-schools the momentum, power and resources that they need? They seem to have achieved more in the past few years than many programmes in the environmental sector have achieved in a long time.

There is much educational as well as environmental value to the programme and I congratulate Cathie Craigie on bringing the debate to the chamber.

17:42

Ms Rosemary Byrne (South of Scotland) (SSP): I welcome the debate and congratulate Cathie Craigie on bringing the subject to the Parliament. I also congratulate Whitelees Primary School on its achievement in gaining green flag status, as well as all the other schools that are participating in the initiative.

The eco-schools programme provides awareness-raising opportunities as well as practical experience of the importance of looking after the environment. The programme provides opportunities to make environmental issues part of the life of a school and it can be included across the curriculum, which is extremely important. It also involves young people in decision making and practical participation, which is a crucial element in schools today, and establishes links with other schools in the UK and in Europe. It is all very impressive.

When I did a bit of research on the programme, I found some of the websites fascinating. I spent some time last night looking through some of them. There are links to some wonderful stories on the environment, and it is possible to read them in different languages. I cannot wait to sit down with my nine-year-old granddaughter and look at some of those websites with her. The resources are fantastic. From learning to keep the playground tidy and learning about reducing waste, recycling

and the impact of what we buy and how we dispose of it to finding more efficient ways to manage energy and reduce carbon dioxide emissions, the breadth of the initiative is excellent.

The success of the programme speaks for itself, with an increase in school involvement since 2002 of more than 800 per cent. However, we must ensure that additional resources are made available to match that growth, especially to encourage the development of programmes in further and higher education establishments. That is vital if the commitment and enthusiasm that our children and young people have for the initiative are to be sustained into adulthood. If we were to raise the profile of the programme—and Scotland has the history in education and technology to do that—we could become a centre of excellence for environmental education, working with our European neighbours in promoting and leading the way in good practice.

There are wonderful opportunities for us to be leaders in the field. As a teacher, I am more than enthused by the programmes and the resources that are available. Children are learning not only about the environment from those projects but about their rights, the future and how things need to be developed in our country and in the wider world. I hope that they are also learning to be less selfish citizens who can contribute more in future.

When I think back a few years, I remember the state that some school playgrounds were in and the janitor having to go out and clean them up. It is wonderful that young people are now taking the initiative, planning and making sure that things are recycled. Rubbish is not just being picked up but being recycled. That is superb and I am sure that the janitors are happy about it, too.

I congratulate Cathie Craigie on securing this evening's excellent debate.

17:45

The Deputy Minister for Education and Young People (Euan Robson): I echo members' congratulations to Cathie Craigie on obtaining the debate. I also congratulate her on her eloquent contribution and all members on their contributions. It has been an interesting debate and I have enjoyed it immensely.

The Scottish Executive believes strongly that education for sustainable development helps children and young people to be more aware of their actions and their impact on the environment. That is why we have committed more than £450,000 to support the eco-schools programme in Scotland and to assist the expansion of the team at keep Scotland beautiful. Today, we have also confirmed support of £225,000 each year for the next three years. That investment is from both

the Executive's Education Department and the Environment and Rural Affairs Department, which reflects the cross-cutting nature of this important initiative.

The activities of the eco-schools team have helped to ensure a strong take-up of the programme. In answer to Fiona Hyslop, there is an eco-schools manager who is, in effect, a national co-ordinator of the eco-schools programme. From an initial figure of fewer than 100 schools registered in 2001, the number at January 2005 has risen to 1,673, which represents 53 per cent of Scottish schools. The team has been liaising with local authorities throughout Scotland and I am pleased to say that all 32 local authorities are now involved in the programme.

The programme celebrated its 10th anniversary by awarding Whitelees Primary School with its first green flag; the school was the 100th school to get one. Whitelees and all the other schools that have worked hard to gain their first green flag are to be congratulated on their achievement. I welcome representatives of the school to the gallery tonight and congratulate them on their achievement.

Cathie Craigie challenged us to seek out the information from our local authorities. Thirty-two schools in the Scottish Borders are now registered. Six of them have bronze awards and four have silver awards. They are Howdenburn Primary School, Kelso High School, Kirkhope Primary School and St Peter's Primary School in Galashiels. Kelso High School won a European award before the eco-schools programme was introduced and Charlie Robertson, the head teacher, is keen on the subject and the school has a very active group. I hope that it might be the school that wins the first green flag for the Scottish Borders.

Several members commented on their schools. Iain Smith mentioned Dunino Primary School's outstanding achievement of gaining the first permanent green flag. Sandra White mentioned an interesting school, St Peter's Primary in Partick, and I would be fascinated to see the trout restocking. As an angler, perhaps I should declare an interest, but I will be happy to go and wade in the River Kelvin and have a look at those trout some time.

I also intend to find out from Susan Deacon exactly where the "Talking rubbish" sign is. I confess that I will try very carefully to avoid it. John Swinney rightly mentioned Breadalbane Academy. I am pleased that there has been some progress on the matter that he raised. In an earlier debate, I said to John Swinney that it is an important type of initiative. I am sure that my colleagues can find practical solutions to the particular problems that he mentions. Robin Harper mentioned St Leonard's Nursery School in Currie; it, too, deserves praise for all that it has been doing.

It might be possible to steal the catchphrase “reuse, reduce and recycle”. I do not know whether there is a copyright on it, but perhaps we could talk to Whitelees about that. It is an excellent way of encapsulating the idea of the eco-schools programme.

If members visit any school that is taking part in the eco-schools programme, they will be impressed—as everybody is—by the enthusiasm, commitment and creativity shown by the pupils and the extent to which they readily take responsibility for their action plan to improve their environmental performance. Members will find them to have a highly developed understanding of environmental issues, which can only give us confidence for the future guardianship of the environment. Members will also find that pupils are clear about their expectations as consumers. The use of consumer power to insist that manufacturers do things differently and take a more responsible approach to sustainability is a great hope for the future.

The eco-schools programme gives pupils the opportunity to consider a number of environmental issues and how they relate to their own circumstances. One of the Environment and Rural Affairs Department’s key policy areas is waste management. We have in place a national waste plan, which sets a number of challenging targets to increase our recycling record and address waste reduction. However, we fully recognise that the success of the national waste plan and other environmental policies relies on co-operation and participation from the general public. The eco-schools programme is an ideal means of educating young people about the importance of public participation in protecting our environment. I hope that such messages will enable youngsters to develop good habits at a young age—whether to recycle their bottles and cans or switch off lights. I recognise that they can also inform their parents and grandparents. The point about the standby switch on the television has resonance in our family.

A number of other developments are designed to assist local authorities and schools to promote environmental awareness and to inform young people about sustainable development. Guidance and learning materials produced by the Scottish Executive and Learning and Teaching Scotland link closely to the curriculum and make it clear that education for sustainable development should be seen as cross-curricular; it should contribute to all other curricular areas. A development officer has just been appointed to Learning and Teaching Scotland to take forward a programme of work with schools and local authorities in sustainable development education.

I agree with the member—I think that it was John Swinney, but it might have been Robin

Harper; forgive me as I cannot remember—who talked about “embedding” sustainability in the curriculum. There are opportunities to do that as we explore the curriculum for excellence and develop the curriculum. Such opportunities are also available in teaching. Robin Harper referred to developments in initial teacher education, but there is also continuing professional development. There are opportunities there to develop training and have refresher courses to ensure that sustainable development education is embedded in the curriculum.

Those principles should enable all young people to develop their capacities, not only as successful learners and confident individuals but as responsible citizens and effective contributors to society. The reformed three-to-18 curriculum will allow more flexibility and more opportunities for in-depth activities that extend across and beyond subjects. Learning about environmental issues and sustainable development are clear examples of such activities.

The reformed curriculum should also enable young people to become equipped with the skills to allow them to make informed decisions and to advocate the changes that they want to see. It is all well and good for young people to know what they want, but they must be able to advocate it. We see that as being an important aspect of the curriculum.

We want young adults to leave school caring about the community in which they live and the people with whom they live rather than being focused on their own needs and requirements. If we achieve that, we will have young citizens who are committed to the principles of environmental awareness and who have an understanding of the impact that their actions have on the environment and the world around them as well as of the importance of sustainable development.

This has been a good debate. I will take away members’ comments and see what more we can do to develop the eco-schools programme. I look forward to visiting eco-schools, as does Peter Peacock, in the months ahead. I urge all members to take any opportunity that they have to visit such schools. I congratulate Whitelees and all the other schools that have participated in the programme so far, in particular those that have obtained green flag status but also all the others that have been working to obtain that status.

Meeting closed at 17:54.

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