

# **MEETING OF THE PARLIAMENT**

Thursday 24 February 2005

Session 2

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# CONTENTS

Thursday 24 February 2005

## Debates

	Col.
<b>ENERGY EFFICIENCY</b> .....	14677
<i>Motion moved—[Shiona Baird].</i>	
<i>Amendment moved—[Allan Wilson].</i>	
<i>Amendment moved—[Christine Grahame].</i>	
<i>Amendment moved—[Alex Johnstone].</i>	
Shiona Baird (North East Scotland) (Green) .....	14677
The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson) .....	14680
Christine Grahame (South of Scotland) (SNP).....	14682
Alex Johnstone (North East Scotland) (Con) .....	14683
Nora Radcliffe (Gordon) (LD) .....	14685
Christine May (Central Fife) (Lab) .....	14687
Rob Gibson (Highlands and Islands) (SNP).....	14688
Eleanor Scott (Highlands and Islands) (Green).....	14690
Karen Whitefield (Airdrie and Shotts) (Lab).....	14691
Frances Curran (West of Scotland) (SSP) .....	14692
Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD) .....	14694
John Scott (Ayr) (Con).....	14696
Richard Lochhead (North East Scotland) (SNP) .....	14698
Allan Wilson .....	14699
Robin Harper (Lothians) (Green).....	14701
<b>IDENTITY CARDS</b> .....	14705
<i>Motion moved—[Patrick Harvie].</i>	
<i>Amendment moved—[Mr Alasdair Morrison].</i>	
<i>Amendment moved—[Stewart Stevenson].</i>	
<i>Amendment moved—[Jeremy Purvis].</i>	
Patrick Harvie (Glasgow) (Green) .....	14705
Mr Alasdair Morrison (Western Isles) (Lab).....	14708
Stewart Stevenson (Banff and Buchan) (SNP) .....	14710
Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD) .....	14711
Miss Annabel Goldie (West of Scotland) (Con).....	14714
Chris Ballance (South of Scotland) (Green) .....	14715
Cathy Peattie (Falkirk East) (Lab) .....	14717
Carolyn Leckie (Central Scotland) (SSP) .....	14719
Pauline McNeill (Glasgow Kelvin) (Lab) .....	14721
Brian Adam (Aberdeen North) (SNP) .....	14722
Iain Smith (North East Fife) (LD) .....	14723
Margaret Mitchell (Central Scotland) (Con).....	14725
Mr Kenny MacAskill (Lothians) (SNP) .....	14726
Scott Barrie (Dunfermline West) (Lab) .....	14728
Mark Ballard (Lothians) (Green) .....	14730
<b>FIRST MINISTER'S QUESTION TIME</b> .....	14733
<b>QUESTION TIME</b> .....	14744
<b>STANDING ORDERS (CHANGES)</b> .....	14768
<i>Motion moved—[Iain Smith].</i>	
Iain Smith (North East Fife) (LD) .....	14768
Mr Bruce McFee (West of Scotland) (SNP) .....	14771
Murray Tosh (West of Scotland) (Con).....	14773
George Lyon (Argyll and Bute) (LD).....	14774
Richard Baker (North East Scotland) (Lab).....	14776
Mark Ballard (Lothians) (Green) .....	14778
Carolyn Leckie (Central Scotland) (SSP) .....	14779
Lord James Douglas-Hamilton (Lothians) (Con) .....	14780
Tricia Marwick (Mid Scotland and Fife) (SNP) .....	14781

The Minister for Parliamentary Business (Ms Margaret Curran) .....	14782
Cathie Craigie (Cumbernauld and Kilsyth) (Lab).....	14786
<b>MEMBERS' INTERESTS</b> .....	14789
<i>Motion moved—[Brian Adam].</i>	
Brian Adam (Aberdeen North) (SNP) .....	14789
Alex Fergusson (Galloway and Upper Nithsdale) (Con) .....	14792
Donald Gorrie (Central Scotland) (LD) .....	14794
Mr John Home Robertson (East Lothian) (Lab) .....	14796
Mike Rumbles (West Aberdeenshire and Kincardine) (LD) .....	14798
Bill Aitken (Glasgow) (Con) .....	14800
Tricia Marwick (Mid Scotland and Fife) (SNP) .....	14801
The Minister for Parliamentary Business (Ms Margaret Curran) .....	14803
Brian Adam .....	14806
<b>DISABILITY DISCRIMINATION BILL</b> .....	14810
<i>Motion moved—[Malcolm Chisholm].</i>	
Ms Sandra White (Glasgow) (SNP).....	14810
The Minister for Communities (Malcolm Chisholm).....	14810
<b>BUSINESS MOTIONS</b> .....	14811
<i>Motions moved—[Ms Margaret Curran]—and agreed to.</i>	
Colin Fox (Lothians) (SSP).....	14811
The Minister for Parliamentary Business (Ms Margaret Curran) .....	14812
<b>POINT OF ORDER</b> .....	14816
<b>DECISION TIME</b> .....	14817
<b>SCOTTISH CIVIC FORUM</b> .....	14834
<i>Motion debated—[Linda Fabiani].</i>	
Linda Fabiani (Central Scotland) (SNP) .....	14834
Cathy Peattie (Falkirk East) (Lab) .....	14837
Ms Rosemary Byrne (South of Scotland) (SSP) .....	14838
Donald Gorrie (Central Scotland) (LD) .....	14840
Lord James Douglas-Hamilton (Lothians) (Con) .....	14841
Chris Ballance (South of Scotland) (Green) .....	14842
Mr Kenny MacAskill (Lothians) (SNP) .....	14843
Maureen Macmillan (Highlands and Islands) (Lab).....	14844
The Deputy Minister for Finance and Public Service Reform (Tavish Scott) .....	14846

## Oral Answers

	<b>Col.</b>
<b>FIRST MINISTER'S QUESTION TIME</b> .....	14733
Cabinet (Meetings) .....	14735
Care Homes (Top-up Fees).....	14742
Local Authority Boundaries.....	14743
Make Poverty History Demonstration .....	14738
NHS 24 .....	14741
Prime Minister (Meetings).....	14733
<b>QUESTION TIME</b>	
<b>SCOTTISH EXECUTIVE</b> .....	14744
<b>EDUCATION AND YOUNG PEOPLE, TOURISM, CULTURE AND SPORT</b> .....	14744
Breakfast Clubs .....	14746
Numeracy .....	14745
Schools (Science Equipment) .....	14751
Schools (Spending) .....	14748
Schools .....	14749
Scottish Screen (Local Film Offices) .....	14747
Sportscotland (Accreditation Schemes) .....	14744
<b>FINANCE AND PUBLIC SERVICES</b>	
<b>AND COMMUNITIES</b> .....	14752
Freedom of Information (Housing Associations) .....	14756
Fuel Poverty.....	14759

Homelessness etc (Scotland) Act 2003 (Implementation) .....	14755
Landfill Site (Greengairs).....	14758
Local Authority Housing Debt .....	14755
Local Government Funding Formula.....	14753
Refugees .....	14757
Social Rented Housing .....	14752
<b>GENERAL QUESTIONS</b> .....	14760
Community Renewables Initiatives.....	14764
Environmental Crime (Prosecution) .....	14763
Glasgow Subway .....	14765
Gun Crime .....	14761
Maternity Units (Inspections) .....	14766
Speed Restrictions (Roadworks) .....	14763
Violent Crime (Glasgow).....	14760

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## Scottish Parliament

Thursday 24 February 2005

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

### Energy Efficiency

**The Deputy Presiding Officer (Trish Godman):** Good morning. The first item of business is a debate on motion S2M-2462, in the name of Shiona Baird, on an energy efficiency strategy in Scotland.

09:30

**Shiona Baird (North East Scotland) (Green):** There is universal consensus among all but the most die-hard anti-environmentalists that climate change is a major threat, but there is not universal consensus on the solutions, apart from on one—energy efficiency. There are no losers in the drive for energy efficiency; it produces a win-win situation. Conversely, if the current trends in consumption and waste continue, everyone will lose in the long run.

We welcome the amendments from the Liberal Democrats and the Scottish National Party, although the SNP does not seem to recognise the undisputed fact that energy efficiency will relieve fuel poverty once and for all. Unfortunately, the Tory amendment trivialises the issues without contributing anything sensible to what is a serious debate.

The energy white paper, “Our energy future – creating a low carbon economy”, states that more than half of emissions reductions in the United Kingdom climate change programme could come from energy efficiency. I believe that we should take that “could” as a “must”. Nothing short of a major national programme on energy efficiency is necessary to deliver that. For too long, energy efficiency has been the poor and often overlooked relation in the energy debate. It is time to bring it out from behind the scenes.

We all know that the opportunities of energy efficiency are enormous. The Scottish Executive has identified the loss to the Scottish economy from wasted energy each year as being £1.3 billion, which is almost enough to supply the annual heating, cooking and lighting needs of every home in Scotland. Energy efficiency means greater business efficiency, more jobs, warmer homes, better health and, of course, fewer greenhouse gas emissions into the environment.

The domestic energy sector accounts for almost 30 per cent of total UK energy consumption and for a similar percentage of carbon emissions. I commend the Executive for the increase in the

mean home energy rating from 3.3 to 6.8—that represents significant progress. However, in 2002, 286,000 households were still in fuel poverty. If we do not raise energy efficiency standards substantially, install micro-renewables and combined heat and power systems and tackle the harder-to-heat homes, the predicted rises in fuel prices might well result in the number of households that are in fuel poverty going up again.

Today, we expect the Executive to announce details of Scottish local authorities’ progress towards improving energy efficiency. They will not make good reading. Two thirds of local authorities are not on course to reach their energy efficiency targets. Four councils are not even a third of the way towards meeting their targets and half of the 10 authorities that are on track had their targets massively watered down. The Home Energy Conservation Act 1995 needs to be reviewed and more resources are required to implement such legislation.

That news strengthens the case for me to lodge my proposal for a member’s bill on setting national targets on energy efficiency, for which the Executive would be accountable, which I believe is a vital element of the work of developing and driving forward a co-ordinated national programme on domestic energy efficiency. I am heartened by the Executive’s moves towards developing a national strategy on energy efficiency, which is long overdue, and we will keep a close eye on progress.

The more inspirational part of the debate is the fact that Scotland already boasts some great examples of the very best in sustainable building design, which the Executive has promoted. The Royal Incorporation of Architects in Scotland recently launched its accreditation award for sustainable building design. Its aim is

“to create healthy buildings which meet the real needs of the community”.

The pilot scheme was supported by the Executive’s architecture policy unit.

Several of the schemes that have been accredited are in the field of social housing, so we are not talking about an up-market, exclusive venture. The houses do not look any different, but they incorporate the very best in energy efficiency measures. The fact that they meet the same construction costs benchmark that standard homes meet is highly significant.

**Christine May (Central Fife) (Lab):** I am familiar with the social housing projects that have been selected to receive awards in the past. Does the member agree that the challenge now is to get private sector housebuilders to sign up to meeting similar targets?

**Shiona Baird:** I was just about to make that point.

I emphasise that, as well as being more efficient, the whole-life cost of such houses is much less than the equivalent cost of standard homes. The well-being of the houses' occupants is also much improved. If we offset the whole-life cost against the improvement in occupants' health, we find that the savings are even greater.

**Richard Lochhead (North East Scotland) (SNP):** I agree whole-heartedly with the member's comments about the architects' initiative. Does she agree that the rest of the construction industry, including the people who build homes, as opposed to those who design them, must participate in that initiative?

**Shiona Baird:** Yes—I thought that I had just said that.

When the consultation on my member's bill was launched this week, we took some highly revealing thermal imaging photos of housing association homes in Shettleston in Glasgow that were designed by an accredited sustainable design architect. The photos showed that the homes, which have an average annual fuel bill of just £100, were leaking almost no heat. The heat that is used comes from a combination of geothermal and solar hot water heaters. We took another image of a modern development that showed leakages of heat from the roof, walls and windows. The unit cost of the well-insulated properties was no greater than that of the conventionally built homes. Given that such good work is already being done, it seems incomprehensible that houses are still being built to lower standards. It is vital that the Executive gives the leadership that is necessary to ensure that private housing developers raise their game significantly.

It is clear that there is much more to energy efficiency and tackling climate change than having a well-insulated home. The all-too-familiar sight of car after car with only one occupant sitting in a traffic jam represents inefficiency on a truly appalling scale. Although today's car technology means that we can have previously undreamed of levels of fuel economy, sadly the gas-guzzler has yet to be consigned to the recycling bin of history, as the proliferation of urban four-wheel drive vehicles only too readily testifies.

Unlike previous generations, we all know how serious the threat of climate change is and we all know that our greed for energy is causing it. We know, too, that climate change emissions from the energy sector went up by 27 per cent between 1990 and 2000. As the warning signs are so clear and well understood, how will we be able to look our children in the eye if we do not take urgent, co-ordinated action on energy efficiency? I hope that

the Parliament will unite behind the motion in my name.

I move,

That the Parliament believes that energy efficiency has great potential to improve efforts to tackle climate change and fuel poverty and to improve quality of life; agrees that energy efficiency has a key part to play in meeting the Scottish Executive's target of eradicating fuel poverty in Scotland by 2016; further agrees that more than half the emissions reductions in the United Kingdom's climate change programme could come from energy efficiency, as stated in the UK Energy White Paper, and commends the Executive for its current initiatives to improve energy efficiency and for its move towards a national strategic approach to energy efficiency as outlined in its climate change consultation.

09:38

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** For the avoidance of doubt, the amendment that is before members is an Executive amendment, not a Liberal Democrat amendment, regardless of what might happen after today's debate.

Energy is an essential commodity for Scotland's society and economy. It heats our homes, lights our schools and hospitals and powers our factories and offices. We must supply and manage energy in ways that are sustainable and that minimise the adverse impact on our environment that our use of energy causes. In that regard, I share entirely the Scottish Green Party's agenda.

Members are probably aware that only last week, on 16 February, at midnight New York time, which is 5 o'clock in the morning Greenwich Mean Time—I was in San Francisco last week, so I am familiar with the genre—the Kyoto protocol became a legally binding treaty. It demands from the industrialised world a 5.2 per cent cut in greenhouse gas emissions by 2012 and imposes other targets that are to be met before that date. I am pleased to say that Scotland is making an equitable contribution to meeting the targets, as we must do, because as part of the global community we must play a full and proactive role in meeting that global commitment.

The topic for today's debate—energy efficiency—is entirely apt. The issue is climbing higher on the political agenda, as are the more general issues of energy supply and demand. It is entirely appropriate that we discuss energy efficiency in that wider context. Therefore, I welcome the opportunity that the Green motion gives the Parliament to discuss such a vital topic.

As we always stress in debates on energy matters, renewable energy and energy efficiency, the development of innovative energy products and techniques is fundamental in the fight against climate change, which, as Shiona Baird correctly



said, all but the most extreme anti-environmentalists accept is a challenge that we must face. To face it, we must adopt a sustainable approach to energy supply and demand. The Executive is strongly committed to increasing the amount of electricity that is generated from renewable sources—members will be familiar with the ambitious targets that we have set our nation in that regard.

However, the key theme of today's debate is energy efficiency. The issue is often overlooked, but it is one of the most valuable tools in the armoury of measures to mitigate the effects of climate change. Demand-related measures such as energy efficiency are easily the most cost-effective means of reducing emissions from energy consumption. Energy efficiency produces a truly virtuous circle and a win-win situation. For example, by reducing emissions through simple measures that often cost little to implement, businesses can reduce running costs.

The United Kingdom Government's energy white paper, which I commend, argued that energy efficiency has a vital role in addressing our future energy needs and tackling fuel poverty. Energy efficiency is expected to deliver half of the UK's target of a 60 per cent reduction in carbon emissions by 2050. Energy efficiency measures are generally easily affordable and do not depend on major or complex technological innovations. The widespread implementation of today's affordable technologies would have a significant impact on Scottish energy consumption. I am talking about measures that are relatively easy to take, such as fitting draught excluders to windows and doors, using energy efficient light bulbs and not using standby power.

We are fully committed to promoting measures that will reduce day-to-day demand and there are many examples of our doing so. The classic example is the warm deal, through which we have thermally insulated 200,000 homes—or 10 per cent of Scotland's housing stock—to reduce bills for some of the most vulnerable people in our communities. Through the central heating programme, we have insulated and heated 43,000 homes. We are taking a wide range of measures to help businesses and domestic users to reduce energy consumption through better energy efficiency measures.

It gives me great pleasure to move the Executive amendment to the Green motion. I hope that the amended motion will receive unanimous approval later in the day.

I move amendment S2M-2462.1, to insert after "improve quality of life":

"and increase competitiveness of businesses in Scotland".

09:44

**Christine Grahame (South of Scotland) (SNP):** I will not take interventions because I have only four minutes.

The Scottish National Party amendment has two strands, neither of which is exclusive of the other. They are fuel poverty and the state of some of our housing stock, both in the public and private sectors. I remind members that the Scottish Labour Party, in its 1999 manifesto for the elections to the Parliament, pledged to end fuel poverty by 2007. The date has now slipped to 2016 but, given the present situation, it seems that even that cannot be attained. My view is endorsed by Friends of the Earth Scotland, which has stated:

"Current programmes to tackle fuel poverty will not go far enough".

The problem is compounded by the fact that every 5 per cent increase in power prices returns another 30,000 people to fuel poverty. In effect, about 13 per cent of Scottish households still endure fuel poverty, a situation that impacts on about 30,000 children, with implications for decent family life, quality of life, health and, because of days at school that are lost through ill health, educational attainment. Many people who are on low and fixed incomes are located in houses of poor quality with damp and poor insulation, so their misery is compounded—if I have time, I will discuss housing conditions further. In addition, many of those households are in the maze of the benefits system and are the same people who use the metered card system, which further compounds the poverty trap and people's disadvantage in relation to fuel prices.

Many pensioners are caught in homes that they cannot afford to repair, although I recognise the value of the recently launched care-and-repair scheme in the Borders. I also welcome the central heating programme, although I would like it to be extended to faulty systems and systems for the disabled—if the minister would listen; it is rude to have one's back to somebody when they are speaking. I also accept the value of the warm deal, although I understand that the scheme has been tailing off. The latest statistics for winter-related deaths among the over-65s show a rise of 400 on the previous year to a figure of 2,500. One in six pensioners admits to failing to keep their home warm.

As I said, poor housing often goes hand in hand with fuel poverty. According to the Scottish house condition survey of 2002, at least 102,000 families with children and 98,000 older people live in houses that are affected by dampness and condensation. Of those, 54,000 are single pensioners, who are often the poorest people. Many are single women who do not even get the

basic state pension because they have not paid enough stamps, and many others do not even claim the pension credit.

More than 170,000 people rent private accommodation, but there is little or no regulation to ensure that it is fit to let. Many tenants, often people on lower incomes, students and young or vulnerable people, simply put up and shut up. However, when the SNP sought to amend the Housing (Scotland) Bill in 2001 to include a provision on energy efficiency measures among others, the coalition rejected the amendments on the basis that the eradication of fuel poverty would render them superfluous. Given the figures that I have mentioned, the coalition must accept that it was wrong.

For many of Scotland's householders, energy efficiency has no relevance. Their homes are poorly insulated and damp, with inefficient and inadequate heating systems. Their involuntary contribution to tackling global warming is that they cannot afford to switch their heating appliances on. The marriage of poor-quality housing with fuel poverty should be brought to an end sooner, rather than later.

I move amendment S2M-2462.3, to leave out from "and commends" to end and insert:

"while supporting any moves to increase energy efficiency notes that this must be in tandem with eradicating fuel poverty which affects 13% of households involving some 30,000 children; notes that, for every 5% increase in fuel prices, 30,000 are returned to fuel poverty and that one in five pensioners struggle to keep warm, all of which is often compounded by damp and poor housing conditions which is to be deplored in an energy and resources-rich nation; notes that endeavours to amend the Housing (Scotland) Bill in 2001 to raise tolerable standards, including measures to facilitate energy efficiency, were resisted by the Executive on the argument that its fuel poverty strategy would resolve these problems which it singularly is failing to do; calls upon the Executive to raise mandatory housing standards as a matter of urgency, and affirms that only an integrated approach to energy efficiency and fuel poverty can both impact on climate change and improve quality of life."

09:48

**Alex Johnstone (North East Scotland) (Con):**

The debate must be conducted in a positive spirit. Our amendment has not necessarily received the Scottish Green Party's support, but I emphasise that we support the spirit of the debate and welcome it.

It is good practice to pursue energy efficiency, for a number of reasons, not only the ones that Shiona Baird put at the top of the priority list. Energy efficiency contributes to economic growth, which we must all pursue, and so is a means to more than one end. It is simply good practice, whatever we want to achieve by it. For that reason, while the Conservatives were in

Government, we began the process of encouraging energy efficiency. The Conservative Government took major energy efficiency initiatives, including the Home Energy Conservation Act 1995, which led to guidance being issued to local authorities in 1996 that was designed to secure an overall improvement in efficiency of 30 per cent by 2010. By 1997, when the Conservative party demitted office, more than 2 million homes had been assisted, at a total cost of £350 million.

The Scottish Executive's warm deal replaced the Conservative Government's home energy efficiency scheme in July 1999. It is one of the areas in which I hope to highlight a slight difference of opinion. I am willing to stand here and praise the warm deal, because it has made an enormous contribution to many people in Scotland—the elderly, the less well-off and those who are in homes that are difficult to heat—but the change in policy had the effect of moving the emphasis away from the conservation of energy towards the provision of acceptable living conditions. I might argue that that was an acceptable compromise, but it was potentially counterproductive for energy efficiency.

Therefore, we must consider carefully the impact of building regulation on people who can ill afford to take on additional cost. Home energy efficiency is a potential cost and so could be a barrier to the provision of affordable housing. Whatever we choose to do to encourage home energy efficiency, it must not add cost. Shiona Baird already touched on that when she said that the whole-life cost of energy efficient housing is reduced, yet for many people up-front cost is the problem. Those least able to afford home energy efficiency might know that there is benefit to be had in the long term, but they do not have the resources at the outset. That is why Government and all parties in the Parliament need to consider ways to defer the costs and to assist those people.

**Shiona Baird:** Does the member agree that the real up-front costs should be in building the house in the first place, and that creating a high-standard insulated house means that the whole-life cost for the occupant is much reduced?

**Alex Johnstone:** I agree, but we must ensure that does not create a barrier between people and the housing that they all want but, in many cases, cannot obtain.

One of the reasons why I am reluctant to praise the Executive quite as much as the motion does is that we in this building are among the worst perpetrators of energy inefficiency. This building—which was, with the support of the Scottish Executive, forced through with a designer and a method of construction with which many in the chamber perhaps disagreed—is, it proves, one of

the least energy efficient buildings to be constructed in Scotland in recent years. In a story that appeared in the press on Tuesday, thermal imaging technology—which was mentioned by Shiona Baird in her opening remarks—was used to look at the Scottish Parliament building. I have some black-and-white representations here. If one sees them in colour on the internet, they are quite extraordinary. It would appear that this is a building that leaks energy like few others. We have little opportunity to praise ourselves.

I move amendment S2M-2462.2, to leave out from “has a key part” to end and insert:

“is widely recognised as the cheapest, cleanest and safest way of achieving Britain’s climate change commitments; notes that while climate change is a global challenge, energy efficiency gives ordinary people an opportunity to act locally and make a contribution, but believes, however, that the Scottish Executive could do more to promote energy efficiency in Scotland.”

09:53

**Nora Radcliffe (Gordon) (LD):** Overall, we waste roughly 20 per cent of the total energy created in Scotland. That is about £1.3 billion-worth, which is not insignificant. Energy efficiency is a win-win-win proposition: if less energy is wasted, less damage is done to the environment, finite resources last longer and greenhouse gas emissions are reduced. At the individual and business level, less money has to be spent on energy and, because waste is being eliminated, the benefits from energy are not diminished.

Energy efficiency is the simplest but the most complex way of reducing greenhouse gas emissions and arresting climate change. By taking relatively simple and well-understood action, it would be possible to deliver a 30 per cent reduction in carbon emissions by 2050. However, to achieve that, such action must be taken, which will require every single man, woman and child, every single business and every single public body to change how they think about—indeed, many do not—and use energy.

Government can set parameters and provide the physical and regulatory infrastructure, but people have to participate. British social attitude surveys show that public opinion has changed little over the past 10 years. Concern about environmental degradation remains high, but a sense of personal responsibility is low. Initiatives such as the Scottish Executive’s do a little, change a lot campaign, which emphasise the importance of individual action and publicise and quantify the ways in which people can contribute, are essential.

Building regulations have been amended to require higher standards. That will have a significant impact, but only on new housing. The

average Scottish house currently scores only 4 out of 10 for energy efficiency, showing the huge savings that improvements could contribute. Buying patterns for domestic appliances have been influenced by the availability of energy efficiency rating information; the same could be done for housing. Making national home energy ratings routinely available for properties would give potential buyers a measure of how relatively expensive their new home will be to heat. If energy efficiency were to become a significant selling point in the housing market, new homes would be built with that in mind and existing home owners would have more incentive to invest in double glazing, insulation, solar panels and so on, and to take advantage of the Government schemes that are now available to help them to do so.

As the market for energy efficient products is stimulated, business opportunities are created—another win-win situation. Through design, it is possible to achieve enormous savings in the whole-life energy cost of a building. I hope that the recently launched RIAS accreditation for sustainable building design will enable people to seek out architects who can give them low-running-cost, low-environmental-impact homes. The more people begin to demand those standards, the sooner they will become as commonplace as they should be.

Money spent on bringing Scotland’s housing stock up to high standards of thermal efficiency is money well spent. The costs to Scotland of having damp, cold homes are incalculable but enormous—other members have dealt with those. Making homes more energy efficient is a far more intelligent solution to fuel poverty than putting money into subsidising energy use. According to Energy Action Scotland, Government estimates of the cost of personal subsidies for fuel consumption through cold weather payments and the winter fuel payment to pensioners amounted to £3.6 billion over three years, while spending on property improvement over the same three years was £1.2 billion—about a third of the subsidy.

We have begun to redress that balance with the biggest-ever investment in home energy efficiency through the warm deal and the central heating programme. The warm deal initiative reduced fuel bills in 2002-03, but it also reduced CO<sub>2</sub> emissions by 30,000 tonnes, while the central heating programme contributed to a further 30,000-tonne reduction.

I have concentrated mainly on homes, but the Scottish Executive has made available £20 million for improvements to public buildings over the next five years. The spend to save fund is especially dear to my heart because it was in the Liberal Democrat manifesto.

There is energy efficiency potential in the transport sector, through better planning, land use

and waste management. I look forward to the Scottish Executive's energy efficiency strategy, which will pull all those strands together and will outline the Government's contribution to moving the agenda forward. In the meantime, the Liberal Democrats support the Executive amendment, which recognises that more competitive business is a further benefit of energy efficiency.

09:58

**Christine May (Central Fife) (Lab):** In my view, this is the more important of the two topics that we will discuss this morning, because energy efficiency and reductions in demand for energy will probably do more for the future of this planet and the future comfort and well-being of our children and grandchildren than anything else.

As Shiona Baird acknowledged, the Scottish Executive and the Labour Government at Westminster have a good track record in considering energy efficiency, devising policies and putting money towards initiatives that help to reduce our demand for energy. However, there is more to do, and we can all find areas in which current policies have not been sufficient. That is why the consultation launched by Shiona Baird, the Environment and Rural Development Committee's climate change inquiry, chaired by Sarah Boyack, and the Executive's consultation will all combine to produce more effective policies that develop and are refined as we find out what works effectively and what does not.

The Executive's amendment, which I hope the Greens will accept, would include a reference to the importance of increasing the competitiveness of business. It is essential that businesses consider not just what they can do to reduce their demand for energy but their capacity—the capacity of businesses in the construction industry, for example—to make a valuable contribution to more energy efficient homes, to more efficient development of power sources and to reducing demand, for example for diesel for road transport.

The debate on renewable energy is not the main focus of what I want to say this morning, but I cite the proposal by Tullis Russell Papermakers Ltd in my constituency to develop a 100 per cent biomass heat and power plant that will not only heat and power its factory but provide spare capacity that can be used by surrounding homes. The plant is at the planning stage, but I very much hope that it does not fall foul of the nimby elements that have too often scuppered our efforts to develop wind power.

I welcome the Scotland's global footprint project, which is a partnership between WWF Scotland, Aberdeenshire Council, Aberdeen City Council,

North Lanarkshire Council, the Executive and others. It aims to reduce communities' demand for energy and to consider what can be done not just by public bodies but by households and individuals. I think that it will make a valuable contribution.

I turn to energy efficiency in homes and to the progress that Fife Council has made. A significant number of the 34,000 council houses in Fife have been the subject of energy efficiency programmes in recent years. The number of households in Fife that are classified as being in fuel poverty has gone down from 24 per cent to 13 per cent. Fife Council achieved its 2007 energy efficiency targets for reductions in household energy usage and CO<sub>2</sub> emissions with three years to spare, but that happened as the result of a concerted policy and a drive to improve energy efficiency. That is the message that we all need to take from today's debate. Photovoltaics and the use of solar power for the signs about speed reduction that I see as I travel around Fife are both good examples.

I welcome the Executive's amendment and I hope that members will support it. I hope that all members will support the motion.

10:02

**Rob Gibson (Highlands and Islands) (SNP):** Mention has been made of the climate change inquiry that the Environment and Rural Development Committee is undertaking. At the committee's meeting earlier this week, Professor David Crichton of the Benfield hazard research centre pointed out that, given that as many as 700,000 Scottish households live in fuel poverty, some mechanism is needed to raise energy standards as well as resilience standards. That comment puts into context the fact that we should take the work that has been done in the past on energy efficiency and warm, dry homes and apply the imperatives of climate change to increase the level of investment.

As my colleague Christine Grahame said, the fuel poverty strategy does not meet the needs of Scottish householders. It has tried to do so, and the efforts that have been made by local authorities and the Scottish Executive to move forward are, of course, welcome. However, our efforts on housing standards are still far behind those of Scandinavia. We are told that we have higher standards than other parts of the United Kingdom and we have had to adapt to our colder climate to some extent, but we do not yet have the high standards that Scandinavia has enjoyed for the past 40 years.

During the passage of the Housing (Scotland) Act 2001, my colleague Linda Fabiani lodged an amendment that contained a series of

suggestions, but it was rejected in favour of the Government's position on the fuel poverty strategy. Her suggestions included measures to

"improve the thermal efficiency of insulation",

to

"assist households in budgeting for their fuel costs effectively"

and to

"require a regular energy audit of each home".

It seems to me that those suggestions go to the heart of how we should tackle individual properties. It would be a big step forward for the Parliament to endorse the idea of every house having an energy efficiency logbook in which notes are made every time that the property's energy efficiency is reviewed in relation to the current standards. Such logbooks would have wider benefits when houses are built and sold on. The Environment and Rural Development Committee's climate change inquiry will probably address that matter.

We find ourselves in a cleft stick: some local authorities have tried to increase standards beyond the standards that Communities Scotland applies to buildings but they have found themselves in difficulties because they are not funded to a sufficient level. For example, the Western Isles has tried to ensure that older people are given far higher standards to deal with the climate problems there.

It bothers me that we are not having a full debate at this stage about the potential for energy balance reviews, which are needed so that we can see the total energy that is used not just in houses but in our daily lives. Such reviews are being applied on the small island of Unst, where the promoting Unst renewable energy—or PURE—project is not only a means of creating hydrogen cell technology but is moving people away from using heating oils and other hydrocarbon fuels.

We must ensure that the Government in Edinburgh expresses the strongest possible support not only for the hydrogen cell technology approach but for energy balance reviews, which should be done in every community throughout the country. It seems that the London Government is not interested in our developing hydrogen cell technology and is prepared—if the press is to be believed—to leave that to the Chinese, the Indians and the Americans. That is incredible.

**Mr Alasdair Morrison (Western Isles) (Lab):** Will the member take an intervention?

**Rob Gibson:** I am sorry, but I am in my last minute and I have to finish.

The Government should tell us whether energy efficiency of that sort is on its agenda.

10:06

**Eleanor Scott (Highlands and Islands)**

**(Green):** The north of Scotland has a particular need for energy efficient homes and renewables because of its harsh climate and its isolation, but it does not have them. The latest Scottish house condition survey statistics reveal that 34 per cent of households in the Western Isles are fuel poor, compared with the national average of 13 per cent. The rate of fuel poverty on Shetland is 25 per cent and the rate on Orkney is 31 per cent. Other rural areas such as Dumfries and Galloway, Argyll and Bute, the Borders and Aberdeenshire also have above-average numbers of fuel-poor households.

Homes in the areas that most need energy efficiency are least likely to have it. For example, it takes 66 per cent more energy to heat a home in Braemar than to heat a home in the south of England. Because many communities in the Highlands and Islands are away from mains gas, they can benefit greatly from community-based or domestic renewable energy. Instead of the multiple problems of climate, isolation and high fuel prices, by embracing energy efficiency and renewables we can move to multiple benefits.

The Highlands and Islands are rich in renewable energy resources, which are a key component of an energy efficient future. Energy efficiency also encompasses the use of locally sourced fuels, which involve less transport costs—both financial and environmental—and less generation and transmission inefficiencies. They can also stimulate the local economy, creating sustainable jobs and real progress. High fuel prices in the Highlands and Islands make all forms of energy efficiency particularly attractive, and we can only expect fossil fuel prices to increase in the future.

The issue of energy in Scotland has been confused by the Executive's target for the generation of electricity from renewables, as electricity accounts for only a fraction of our total energy use. I say that because generating electricity is a notoriously inefficient way of using energy—although I am not suggesting for one second that we should stop using electricity. With a typical efficiency rate of just 25 per cent from the power station to the plug, we should carefully consider in what circumstances it is better to use solar or biomass energy directly for heat rather than for electricity generation. The Energy Saving Trust has published a series of case studies, in which it states that savings of £160 per year and 8,000kg of CO<sub>2</sub> could be made by replacing off-peak electric heating with an automated wood pellet system in a three-bedroom house with no access to mains gas. Energy efficiency involves not just insulating our buildings better—important though that is—but the fuel that we use and the best option for each circumstance.

The Department of Trade and Industry's energy white paper sets some ambitious targets. One function of the Parliament can be to do our best to support and encourage the Scottish Executive in its initiatives to meet—and preferably surpass—those targets. I commend the Executive's work through, for example, the Scottish energy efficiency office, the Energy Saving Trust and the Scottish community and householder renewables initiative, but we have a long way to go to halt and reverse our energy consumption patterns.

I commend and welcome the fact that the Executive is working on an energy efficiency strategy and I shall follow its progress with great interest. In the meantime, I hope that the Executive will consider carefully Shiona Baird's proposed member's bill.

10:10

**Karen Whitefield (Airdrie and Shotts) (Lab):** I thank the Green party for initiating this important debate. I welcome the positive tone of the Greens' motion, which recognises the positive steps that the Scottish Executive and the UK Government have taken. It is perhaps unfortunate that the SNP has failed to gauge the consensual nature of the debate, but that is no surprise, because Christine Grahame has only one tone of speaking in Parliament—the rant. The only difference today was that the rant was uninterrupted.

**Christine Grahame:** I am a socialist.

**Karen Whitefield:** I do not think that Christine Grahame can spell "socialist".

Like the Greens, I believe that energy efficiency has a significant part to play in reducing carbon emissions. There is no doubt that significant opportunities exist for us to reduce carbon emissions while tackling important social issues such as fuel poverty and the development of good-quality public and private housing. I know from speaking to residents of Petersburn in my constituency that their new homes, built by Link Housing Association, are significantly cheaper to heat than their old ones, which were built in the 1960s and had flat roofs.

I agree with Friends of the Earth that improving domestic energy efficiency is vital to the effort to reduce energy consumption. Modern-built homes consume about 50 per cent less energy than those that were built even as recently as the 1990s. We should ensure that all new housing developments take advantage of technological developments such as modern well-fitted insulation, double glazing and condensing boilers.

The problem requires all levels of government—local government, the Scottish and UK Governments and the European Parliament—to

work in partnership. Each tier of government has an important part to play and we can also learn from others' experience. I referred to the benefits of installing condensing boilers. The UK energy white paper points out that between 1980 and 2002, the Netherlands ran an intensive campaign to install condensing boilers in homes. That included a range of Government subsidies, which were matched by funding from energy companies. By 2002, condensing boilers accounted for 75 per cent of the market there. In contrast, UK initiatives over the same period failed to make a similar breakthrough. By 2002, condensing boilers accounted for only 12 per cent of the UK market. I put that in perspective by saying that installing 5 million condensing boilers saves about 600,000 tonnes of carbon per annum.

We must face up to the challenge of improving the energy efficiency of all Scottish homes for the sake of our poorest tenants and residents and of the planet. We must also ensure that the electronic consumer goods that fill our homes are as energy efficient as possible. I welcome the introduction of clearer energy efficiency signs on white goods. However, it is ironic that the more we find ways to reduce energy consumption, the more new ways that technology such as the internet and mobile phones finds for us to consume energy.

I am not in favour of a troglodyte return to the cave.

**Christine Grahame:** Can Karen Whitefield spell "troglodyte"?

**Karen Whitefield:** It is clear that I can. Unlike Christine Grahame, I was prepared to take interventions, which she would not take.

I am in favour of using advances in modern technology to reduce energy consumption, which is why I welcome the range of measures from the Scottish Executive and the private and voluntary sectors to reduce energy consumption.

In addition to housing, the creation of more new schools in Scotland offers local councillors the opportunity to ensure that energy efficiency is built into the design of those buildings from the outset. That should also be true of the new hospitals that are being built.

I thank the Green party again for raising this important issue and state my continued commitment to reducing energy consumption.

10:15

**Frances Curran (West of Scotland) (SSP):** I, too, welcome this debate on energy efficiency. Awareness of the issue is growing, but not at the same rate as energy consumption is. The Parliament's job is to produce answers, which have been missing a bit from the debate, and to

create awareness of energy efficiency and the need to use less energy.

World headlines about the Kyoto treaty have had a huge impact on public consciousness. The debate about the Kyoto treaty and the fact that the Americans would not sign it created interest and some awareness. However, if we asked people what the outcome of that was for their lives or what conclusions they drew from those headlines, their main conclusion—I am not saying that it is bad—would be that we needed to get out of our cars.

Awareness has not extended to many of the issues that we are discussing. Society does not know what to do about the subject. Many of the adverts and campaigns to save energy and switch off appliances, and the new adverts in which people say “What has it got to do with me?” and are told not to leave the telly on standby, may make a little impact. However, the Government has failed to make the connection between the Kyoto treaty and what people do in their everyday lives.

It is not easy to make that connection. Have members tried to buy a fridge? In Comet, the letters A, B, C, D and E are written on the fridges, and people are meant to know what that means for energy efficiency, but that is not clear. When we eventually work out the alphabetical coding system, it shows that the most energy efficient fridge is the most expensive in the range. Awareness does not exist of even a simple issue such as that. Karen Whitefield mentioned clearer coding, which I would welcome, because I do not want to spend an hour in Comet trying to work out what fridge to buy. Awareness of that matter has not reached the population as a whole.

A huge shift is needed. Christine May said that we were having the debate of the age. We have said that before. How many times has the Parliament discussed energy? However, we are failing to put across the message to business and industry and to the population as a whole. A change in attitude and understanding is needed.

What policies will the Scottish Executive adopt to advance the agenda? Few are on the table, apart from the warm deal, which the minister mentioned. We know that social housing is needed and that we must build new council or housing association housing. What prevents the Executive from saying that half, three quarters or all of that new housing must be of the design that the Green party proposes? Why do we not make such a commitment? What is the problem?

**Allan Wilson** *rose*—

**Frances Curran:** I am interested in what the Executive has to say, but I have only four minutes for my speech.

**The Presiding Officer (Mr George Reid):** You have five minutes if you want them, because an extra minute has come up. It is up to you whether to use it.

**Frances Curran:** Thank you very much, Presiding Officer.

The warm deal is a good initiative, but the problem is that it is stuck for the 30 per cent of housing that cannot use several warm deal measures. Tenements and tower blocks can have central heating, but they cannot have cladding. What will we do? We must go further for the housing stock for which the initiative is not good enough. Nine in 10 houses in Scotland do not meet the new building regulation standards. Friends of the Earth says that it will take 100 years for that to happen.

**Christine May:** Does the member agree that the point that she makes—with which I agree—is the catalyst for the research and innovation that we need to produce new forms of insulation, some of which are already being produced?

**Frances Curran:** Absolutely. However, drive and innovation always seem to be lacking in debates on energy in the Scottish Parliament. I agree completely with the member, but there is no evidence that the Scottish Executive is taking up the building techniques that exist and championing them across the land.

My last point relates to awareness. Climate change is one of the themes of the upcoming G8 summit. All the schools are discussing it. Young people are discussing it. We have a big opportunity massively to raise awareness in Scotland as a result of the summit. I ask the Scottish Executive to take that opportunity.

10:20

**Jeremy Purvis (Tweeddale, Etrick and Lauderdale) (LD):** As Alex Johnstone indicated, the motion and the debate on it should be positive and should highlight the Executive's successes, which have been welcomed by and large around the chamber this morning. However, it has also been recognised that together we should take forward the energy efficiency consensus. This morning's debate has been consensual, with only flashes of division.

The Executive is delivering better energy efficiency in Scotland's public sector, in companies and in homes. We are developing Scotland's first energy efficiency strategy, to build on progress that has been made in all quarters in Scotland. I am particularly pleased with the Executive's amendment, which I hope will receive cross-party support.

There is a win-win situation for businesses and the environment in Scotland. Late last year,

Scottish Enterprise Borders hosted an energy efficiency seminar in the Borders for local businesses, on which it should be commended. A textiles company in the Borders now saves £15,000 a year after reducing energy consumption, at no cost to production. A food processor in the Borders has doubled production, without increasing energy costs, by investing in new freezer technology. Obviously, that company was able to buy freezers and refrigerators, unlike Frances Curran. A business has reduced waste disposal costs to zero by recycling and minimising waste. A representative of Peter Scott Knitwear said:

"These are really significant savings we have made by changing boiler systems and I would recommend all manufacturing companies in the Borders to take advantage of SE Borders' Energy Survey."

The link between the public sector and businesses will make a real difference.

We have made the biggest-ever investment in a home energy efficiency programme in Scotland, through the warm deal and the central heating programme. We have heard calls for insulation standards to be doubled, but our standards are already among the highest in Europe.

Of course, we should go further—not just in Government action but, as Alex Johnstone indicated, at the level of individuals. Last year, Euan Robson, my colleague in the Borders, and I hosted a meeting with local stakeholders to promote the take-up of the central heating programme and the warm deal. As a result of the schemes, people are healthier and better off financially and more homes are more energy efficient. However, there are problems with take-up. The problem is not just lack of awareness of the schemes—many independent people do not want to receive charity. The public sector and all members must work with communities on the issue.

I was at the launch of the care-and-repair service, which the Scottish Executive is funding through Communities Scotland, in one of the areas in which the service had still to be introduced. The service allows home helps and handymen and women to go into homes in all communities to do little jobs around the house and to spot areas in which home energy efficiency support and greater access to the warm deal and other schemes can be given.

**Chris Ballance (South of Scotland) (Green):** I agree with the member, but I notice that he has not mentioned transport. Does he agree with Shiona Baird's condemnation of the use of gas-guzzling and inefficient fuel-use cars?

**Jeremy Purvis:** My time is limited, but I will touch on transport in a moment.

As Nora Radcliffe said, each year business and consumers waste about 20 per cent of Scotland's total energy spend. That represents £1.3 billion in resources.

Chris Ballance referred to fuel. I am keen that the next generation of Scotland's public transport should either have hydrogen cells or make use of energy differently. In the Borders, there is a public-private partnership scheme to build three new high schools. I have highlighted the rich potential for those schools to be heated and powered by biomass and combined heat and power. It would be very appropriate for this generation to signal in the remainder of the debate that it will invest in energy efficiency and sustainability for the next generation.

10:25

**John Scott (Ayr) (Con):** We have all come to the debate with a real desire to improve energy efficiency. That makes sense for social, environmental and economic reasons. It is imperative that the Scottish Executive addresses the issue more seriously than it has done in the past.

One must acknowledge the good intentions and success in dealing with fuel poverty of the warm homes deal that has been implemented by the Eaga Partnership. However, as Christine Grahame said, the statistics tell us that we are not doing enough. From a social perspective, it is obvious that huge improvements to individual properties could be made by home owners, local authorities and housing associations. According to FOE, nine out of 10 houses fail to meet new building standards for thermal insulation. It is self-evident that everyone needs to do more to address that issue. According to the 2002 Scottish house condition survey, 13 per cent of the population, or 286,000 people in Scotland, suffer from fuel poverty. As Shiona Baird said, 60 per cent of those householders are pensioners.

Scottish people need to be made more aware of what can be done cost efficiently to reduce heat loss from buildings. Everyone agrees that that issue should be pushed up the political agenda. Perhaps from an environmental perspective, with a view to meeting the Kyoto targets for reducing emissions of greenhouse gases, it would make more sense for us to spend less public money on supporting the development of wind farms and to use the money that is saved to increase the energy efficiency of our housing stock in Scotland and the UK. Scottish Conservatives believe that refocusing public money in that way is more sustainable and makes better long-term economic sense. I believe that David Bellamy, the well-known environmentalist, has similar views.



**Shiona Baird:** Will the member give way?

**John Scott:** I am sorry, but I do not have time to take an intervention.

It is estimated that in Scotland £1.3 billion-worth of energy is wasted annually in the domestic and commercial sectors. That problem must be addressed sensibly. As Alex Johnstone said, perhaps we should set more of an example in this building.

The problems are well-enough defined. Members have explained and explored the issue but, as Frances Curran noted, we are long on analysis and short on solutions. Such solutions are to hand and we must do more to promote them. Energy Action Scotland suggests that we should continue and, indeed, develop the current grant schemes for heating, insulation and general advice. I support that suggestion. The warm deal initiative is vital to pensioners in my constituency of Ayr, where the percentage of pensioners is three times the national average, and it should continue after 2006. I look forward to hearing the minister's views on that issue.

We should support initiatives to install solar water heating, condensing boilers, to which Karen Whitefield referred, and more external cladding and double glazing, which Nora Radcliffe mentioned. We should widen eligibility for the warm deal to the disabled and reduce the age of eligibility to 60. As Allan Wilson said, that would provide a win-win solution. The one action of improving housing stock would deliver a reduction in fuel poverty and, at the same time, increase energy efficiency. From an economic perspective, we would get two bangs for the one buck.

Energy efficiency is an issue that gives everyone a chance to act locally to address the problems of climate change. As Frances Curran said, we are all stakeholders in the future of our planet. Saving energy in the home is the most obvious single action that individuals can take to help to reduce global warming and to slow climate change. Switching to low-energy light bulbs or just switching off lights and televisions on standby would make a huge difference. Best of all, energy efficiency makes money for those who invest in it. Cavity wall insulation usually pays for itself within four years and, thereafter, saves a householder £100 a year.

We all know the problems. This morning, all parties have offered their solutions. All agree that more needs to be done. I look forward to hearing the minister's views on the matter—not just his analysis of the problem, but the solutions that he intends to deliver. I commend to him the Conservative amendment to Shiona Baird's motion.

10:29

**Richard Lochhead (North East Scotland) (SNP):** Given the impact of climate change, the cost of energy for households in Scotland today and the scandalous level of fuel poverty in Scotland, it does not take a genius to work out that the Parliament will debate energy and environmental matters time and again over the coming years.

If we compare just the past few months with the first four years of this Parliament, we find that we have had energy debates sponsored by the Conservatives, the Scottish Green Party and the SNP; a climate change debate has also been sponsored by the Executive. That indicates the direction that the debate is taking in Scotland and the wider world. However, we have to inject a dose of reality into the debate because we live in energy-rich Scotland where, at present, tens if not hundreds of thousands of people suffer from fuel poverty. That is a national scandal.

I noticed a couple of stories in the press this morning, one of which was a comparison between Westminster and this Parliament in terms of the hot air that is produced. The result was that less hot air is produced by this Parliament—something that the SNP has been trying to tell other MSPs for a long time.

The other headline in today's news was the profit announcements by a number of companies in the UK. Centrica plc, which owns Scottish Gas, has announced profits that have increased by a lot more than was expected, yet it has fewer customers. That tells us that the company is squeezing more profit out of a smaller customer base and that its customers in Scotland are being fleeced. That is why so many people are moving into fuel poverty and we have to do something about that in this Parliament.

The Government has set a target to reduce greenhouse gas emissions by 60 per cent by 2050. As the minister and others have said, it is hoped that we will get halfway to that target by improving energy efficiency. That illustrates why energy efficiency must have a much higher profile in the energy debate in Scotland. As many people have said, we can improve energy efficiency through measures such as demand reduction, better buildings, more energy efficient equipment in our businesses and households and energy efficient heat and power supplies. Those measures will bring economic benefits to Scotland by creating green jobs and they will enhance energy security in Scotland, which has not yet crept into the debate. Energy efficiency enhances energy security for a country. With regard to the environment, energy security will cut emissions, and socially, as many members have said, it will help us to tackle fuel poverty.

There is a huge way to go, however, and we should not become complacent or congratulate ourselves on steps that have already been taken when we have not done enough and a huge task remains before us.

I contacted Communities Scotland yesterday to speak about the local authorities that have not submitted a fuel poverty strategy as they were supposed to do by March 2004 under the Housing (Scotland) Act 2001. In February 2005, Aberdeenshire Council, Dumfries and Galloway Council, East Ayrshire Council, Midlothian Council, North Ayrshire Council, Scottish Borders Council, Shetland Islands Council, South Lanarkshire Council and Western Isles Council, which cover some of the coldest parts of Scotland, had still not submitted their fuel poverty strategies to the Government via Communities Scotland. Given that we are in that ridiculous situation, we cannot stand here today, congratulate ourselves and say that we are making huge progress. I urge the minister to speak to those local authorities, because their lack of action is not acceptable.

Only a few local authorities in Scotland have dedicated officers working on fuel poverty or on the Home Energy Conservation Act 1995. That situation must be addressed, because local authorities are cash-strapped and unable as a result to play their full role in tackling fuel poverty and improving energy efficiency in Scotland. If there is one message that I ask the minister to take away, it is, "Please speak to our local authorities and give them more support."

Building standards have been a major issue in the debate. As I said, the UK Government's target is to reduce greenhouse gas emissions by 60 per cent by 2050. As part of our climate change inquiry, a witness told the Environment and Rural Development Committee yesterday that Switzerland has adopted a target of reducing greenhouse gas emissions by 90 per cent—not 60 per cent—and that it plans to achieve that by one major route, namely better building standards. We must learn from other countries, because the appalling standard of much housing in Scotland contributes to our energy inefficiency and addressing that must be our priority. I urge members to support the SNP amendment.

10:34

**Allan Wilson:** I will respond first to that last point. We can all agree that there is nothing self-congratulatory about the motion or the Executive amendment; I would not support them if there were.

The Executive has been consistently proactive in introducing initiatives to accelerate uptake of energy efficiency measures in the local

government sector and elsewhere. Last year, we announced funding of £20 million to improve energy efficiency in the sector and 31 of 32 local authorities have signed up to that agenda; indeed, I addressed a Convention of Scottish Local Authorities conference on the subject in order to raise awareness among local authority energy efficiency officers of the availability of that cash to spend to save in the local government sector.

Other programmes—such as the central heating programme and the loan action programme, which preceded the public sector programme—provide valuable practical assistance to householders and small businesses. In response to Alex Johnstone's point, I say that it is true that the Tory emphasis in the programme that preceded the new one has been changed.

The warm deal programme properly targets what are obviously finite resources at people who are most needy so that they can enjoy the same quality of life as other people who have more resources—we in the Executive parties make no apology for that. As ever, Richard Lochhead calls for more resources, but he does not give a figure for how much more ought to be spent.

Alex Johnstone referred to the Scottish Executive's not practising what it preaches about energy efficiency.

**Alex Johnstone:** I was blaming Allan Wilson for the Parliament building.

**Allan Wilson:** I will come to the member's second point. In fact, since 2001, Scottish Executive buildings have shown a 5 per cent reduction in carbon output and there has been a 25 per cent energy saving overall as a result of the increase in standards that we instituted in 2000.

Unusually for Alex Johnstone, he took a rather cheap shot at the Scottish Parliament building. As he knows, I am not responsible for it; the Scottish Parliamentary Corporate Body and the Presiding Officer are capable of speaking in favour of it. However, it is a fact that the design of the Parliament building has been assessed by Building Research Establishment Ltd Scotland using its environmental assessment method. It awarded not one but three certificates at the highest level of excellence to the MSP building, Queensberry House and the assembly building—indeed, the very chamber in which we speak. Alex Johnstone took a cheap shot that was unworthy of him.

**Richard Lochhead:** On securing resources to tackle energy efficiency, the climate change levy is, of course, collected throughout the United Kingdom. Has there been any attempt to measure how much has been collected in and returned to Scotland through energy efficiency measures?

**Allan Wilson:** As Richard Lochhead is aware, we intend soon to announce plans about the fossil fuel and climate change levy as well as about resources from landfill tax credits, which we will use to introduce more effective energy efficiency measures. Watch this space.

I will respond to the points that were made by Richard Lochhead's colleague, particularly in relation to hydrogen cell technology. As Rob Gibson might be aware, the forum for renewable energy development in Scotland has established a sub-group to examine the potential of hydrogen cell technology, which we expect will report in May on development of the technology.

A significant reference was made to the process of individual energy audit for domestic properties. As members might be aware, the European Union is considering that issue in the context of its directive that will introduce certification. We will be required to transpose that directive into domestic legislation in Scotland.

I was unable to make my next points in the short time that was available earlier. We established an energy study to examine not only generation and supply of electricity in Scotland, but demand for that supply, which is the crucial extra part of the equation that we have discussed today. It is important that the study will establish a Scottish baseline so that we are not constantly extrapolating from UK figures. That work has been undertaken for us by AEA Technology in Glengarnock.

We also intend to develop an energy efficiency strategy. I hope that this debate and everybody who has participated in it can feed into that strategy so that it can be developed consensually. That will be a strong focus, as was envisaged in a UK-wide paper on energy efficiency, and it will give everybody the opportunity to make their points from today and have them considered as part of a nationwide strategy.

In conclusion, we believe in a sustainable approach that includes managing energy supply as well as demand and which places as much emphasis on energy efficiency as on other measures such as renewables. If there has been an emphasis on energy generation rather than on energy efficiency, it has come from the media; it is not an emphasis that we in the Executive would subscribe to. Energy efficiency is cost-effective and it works. We intend to continue to ensure that it plays a key role in our sustainable development strategy.

10:40

**Robin Harper (Lothians) (Green):** It is always a pleasure to sum up a debate, but doing so gives me particular pleasure today because of the

intelligent and constructive way in which this Scottish Green Party debate on energy efficiency has progressed during the course of the morning. The energy efficiency of the domestic, construction and business sectors undoubtedly provides huge opportunities because those sectors account for nearly 70 per cent of all our energy consumption. That is why energy efficiency is the measure on which we can make most progress in the shortest time in the ensuing years.

As well as commenting on as many speeches as I can, I will add a few suggestions and occasionally wave an admonitory finger. First, I thank Christine Grahame for her speech: if we achieve high standards of energy efficiency and invest enough money, the days of fuel poverty will—I hope soon—be well in the past.

Alex Johnstone mentioned two issues. First, he said that we must ensure that design is not a cost barrier. At the Royal Incorporation of Architects in Scotland presentation up in committee room 2 two weeks ago, it was made perfectly clear that designs already exist that can be completed either at or below normal cost and which could still deliver huge savings over their lifetime. Design is not a bar at the moment, so we should go for high standards now.

Secondly, Alex Johnstone remarked on the thermal imaging of the Scottish Parliament building. There will, I am afraid to say, be some very red faces over the way the results of that imaging have been misconstrued—an amateurish job of interpreting them has been done by some people. I assure Alex Johnstone that the building's energy efficiency is not as bad as some newspapers attempted to represent it as being.

I thank Nora Radcliffe for her speech and for making the important point that there must be a change in ethos. We need personal responsibility in energy consumption at all levels, within both the business and domestic sectors. The Executive is addressing that need through the eco-schools programme—to which all praise is due—whereby children start to learn about energy efficiency in school. Half of our schools already participate in the programme, but let us have all schools participate in it. Let the programme be statutory, not voluntary.

Christine May made some important points. She stressed the need to get the private sector on side, but we cannot wait for the voluntary principle to take effect. We need higher building standards. Jeremy Purvis was wrong to claim that we have the highest building efficiency standards in Europe; what is important is that we have the lowest standards in northern Europe. Scotland is essentially a northern European country, but we have the lowest standards compared with the Scandinavian countries. Christine May also

pointed out how national home energy ratings can be used as a selling point for houses. I suggest—I have done so on several occasions inside and outside the chamber—that an energy rating should be mandatory for all houses at the point of sale, regardless of whether the house is old or new.

Rob Gibson reinforced the point that we must come up to Scandinavian standards. I thank him for his support.

Eleanor Scott made an important point about the need to use micro-renewables schemes to spread practice out into rural areas. I want to make a similar case for combined heat and power systems. Every high flat, every business park, every big public building and every housing scheme, whether large or small, could benefit from the introduction of a combined heat and power scheme, where that is technically possible. Combined heat and power schemes double the energy efficiency of fuel and, like micro-renewables schemes, they have the great advantage of providing local jobs. That gives us a virtuous circle that takes in local fuels, local jobs, fuel security, energy saving and climate change protection. Adopting such a strategy is a win-win-win-win situation.

Jeremy Purvis and the Deputy Minister for Enterprise and Lifelong Learning said that Scottish Enterprise is beginning to take steps to improve business energy efficiency. I am glad to hear that, because Scottish Enterprise's record in helping businesses to achieve the ISO 14001 standard has been pretty poor; it has helped only 50 businesses a year, which is not very many, although I believe that it has a target of 250 for this year. By comparison, the Business Environment Partnership, which is a tiny concern that is based in Dalkeith in Midlothian, has helped 735 businesses to improve their efficiency standards and thereby save a total of £8.5 billion-worth of energy.

**Allan Wilson:** I accept Robin Harper's point. We will certainly encourage Scottish Enterprise to make more efforts in that regard, but the principal means by which we encourage businesses to improve their energy efficiency is through the efforts of the Energy Saving Trust and the Carbon Trust. We are investing a total of £10 million in improving business energy efficiency and environmental improvement.

**The Presiding Officer:** Mr Harper, you have just over one minute remaining.

**Robin Harper:** I give all praise to the Carbon Trust and the Energy Saving Trust, but I implore the minister to consider the work of the Business Environment Partnership, which could be applied throughout the country. One advantage of using the Business Environment Partnership is that it

uses the Shell technology enterprise programme, which involves teaching students from all disciplines to assist businesses with energy efficiency. That means that we are now developing a cadre of young people who are familiar with energy saving and environmental sustainability and who can work all over the country.

Finally, I will wave the admonitory finger. I want to pick up Richard Lochhead's point about the performance of our councils. An Executive report today will confirm unpublished figures that show that councils are failing on the points that Richard Lochhead made and on many others. Councils need to be encouraged to do better. For the benefit of members, let me run through some of the recommendations of the report that Friends of the Earth published.

**The Presiding Officer:** You must be brief if you are to have time to run through recommendations.

**Robin Harper:** Friends of the Earth recommended ring-fenced resources for the operation of the Energy Conservation Act 1996, energy labelling for all homes in Scotland, strengthened building regulations, a new mandatory housing standard, greater co-ordination and collaboration of energy efficiency schemes and more flexible and expanded energy efficiency schemes. In one way or another, all those things have been mentioned by members today.

I have the honour of supporting the motion in the name of Shiona Baird.

## Identity Cards

**The Presiding Officer (Mr George Reid):** The second Scottish Green Party debate this morning is a debate on motion S2M-2463, in the name of Patrick Harvie, on identity cards.

10:49

**Patrick Harvie (Glasgow) (Green):** Let me begin by establishing clearly the intentions of the United Kingdom Government. The Identity Cards Bill will introduce a national compulsory system that will use biometric information to tie each individual to a national identification register, which will be a vast database that will contain information on all of us. Ultimately, the information will be shared across many Government departments and agencies. That is the way in which function creep—although the term had yet to be coined—took place under the old ID cards system during and after world war two. By the time Winston Churchill moved to abolish ID cards 53 years ago, the cards were being put to dozens of previously unintended uses.

The bill also contains substantial new powers for the Home Secretary, including powers to alter almost every aspect of the way the scheme will operate. The move to compulsion may be as arbitrary and as discriminatory as any future Home Secretary sees fit.

There are substantial political challenges to the proposal and there are technical and financial considerations. On the technical side, there are problems with every one of the planned biometric systems. There are inherent problems with any database on that scale and, because the information on it will be used for such a wide range of purposes, the consequences of mistakes could be appalling for individuals. On the financial aspects, the overall cost of the scheme to the taxpayer is currently estimated at £5.5 billion. Given the record of large Government information technology projects—this is the biggest in history—there are few of us who do not expect that figure to rise.

**Stewart Stevenson (Banff and Buchan) (SNP):** Has Patrick Harvie noted that, according to clause 3(3) of the Identity Cards Bill, there can be no mistakes in the database? There is

“a conclusive presumption for the purposes of this Act that the information ... is accurate and complete”.

In other words, even if it is wrong it becomes legally correct. Is not that interesting?

**Patrick Harvie:** Stewart Stevenson has given us one of many examples of the worrying sense of legal presumption in the bill and of how the information will be used in ways that benefit the state but which will in no way benefit individuals.

At a fundamental level, identity cards are a solution looking for a problem. Originally, their introduction was suggested as a way of controlling access to public services, but as soon as the terrorist attacks on America took place the tone changed. Few people pretend that the ID card system will offer any meaningful protection against such attacks. Even David Blunkett, as Home Secretary, admitted that that was not the primary purpose of the legislation and that people would be capable of getting access to valid identification cards on false names. How much of a problem is it to be saddled with a false name for the rest of one's life if one is a suicide bomber?

What are the other supposed advantages of the system? Charles Clarke claims that it will save up to £50 million a year in reduced illegal benefit claims. Even if we accept that figure—which I question—it pales into insignificance in comparison with the level of unclaimed benefit, which was, according to the Department for Work and Pensions, at least £3 billion in the financial year starting in 2000. How dare the Government waste billions on a system to save such a small sum, when so many legitimate benefits are left unclaimed by the people who need them?

Of course, all that is the background. The calls to the Scottish Executive are that it should go beyond its previous statement—which I welcome—about use of the cards in accessing devolved services, and that it should explain fully how access to the ID database, which is the real threat to civil liberties, will be used by devolved institutions.

There is much to support in the Liberal Democrat amendment, which reflects the strong stand that Liberal Democrats have made at Westminster on the issue. We can also support the Scottish National Party amendment, so I look forward to hearing Stewart Stevenson's speech. However, the Labour amendment in the name of Alasdair Morrison makes reference to identity cards as

“a central tool in the fight against organised crime and ... terrorism”.

As I said, even David Blunkett, who introduced the bill, made it clear that that was not its primary purpose, but it seems to be the only argument cited in Mr Morrison's amendment.

ID cards are yet another example of the automatic leap to authoritarian positions by new Labour. Before 1997, I remember marching alongside Labour party members to protest against restrictions on civil liberties. “If this kind of thing carries on,” we agreed, “we'll be seeing the introduction of a police state.” Well, here we are. Two terms of Labour rule later, and what is on the agenda? We have detention without trial, house

arrest by Executive order, police forces rumoured to be buying water cannons to deal with public protesters and now the introduction of compulsory identity cards.

**Christine May (Central Fife) (Lab):** I have listened carefully to Patrick Harvie. In spite of all he says, does not he agree that research still shows that 80 per cent of people say they would welcome ID cards?

**Patrick Harvie:** I am grateful that Christine May has reminded me of that, and I remind her that the more information people find out about the proposal, the less they support it. The more people who find out that individuals will have to pay up to £85, as well as there being the £5.5 billion bill to the taxpayer, the fewer people support the proposal.

The defence of the mechanisms of the police state that new Labour politicians are introducing is as follows: "If you've got nothing to hide, you've got nothing to fear." Would we feel the same way if the state wanted to read our mail? Would we feel that because we have nothing to hide, we have nothing to fear? Would we feel the same way if the state wanted to search our homes? Would we feel that we have nothing to hide, so we have nothing to fear?

As I leave my flat in Glasgow in the morning and get the bus into town, I pass Labour's nostalgia campaign posters—highest employment, lowest interest rates, best this, most that. [*Applause.*] Labour members can clap away; it is a selective list of achievements which is designed to convince us that—as the slogan went—things have only got better. We will present the flip side of that in the run-up to the Westminster election. Among our messages, we will remind the people of Scotland of Labour's latest great achievement—the first ID cards since rationing. We will remind people why ID cards were abolished in the first place and we will oppose the steady erosion of the past half century of civil liberties.

I wish, of course, that this Parliament could vote down what is deeply regressive legislation. We cannot, but we can ensure that its implementation in Scotland will be subject to the very tightest controls. We can make it clear that this Parliament wants to go forward, rather than to take a step back to a more repressive age.

I move,

That the Parliament notes the Identity Cards Bill currently being considered by the Westminster Parliament; is concerned at the lack of time devoted to the scrutiny of this Bill, which has left important questions unanswered over how the identity card scheme will work in practice; believes the proposals to be flawed on political, technical and financial grounds; is concerned that the national identity card and database offer an ineffective response to problems of security and fraud and pose an unacceptable

threat to civil liberties; notes that the current cost estimate for the scheme is £5.5 billion and that further escalation of this cost is expected; rejects the Prime Minister's belief, stated on 1 December 2004 in the House of Commons, that "it is legitimate and right, in this day and age, to ask people to carry identity cards" which appears to go far beyond the current scope of the Bill and would require the consent of the Scottish Parliament; welcomes the Scottish Executive's position that identity cards will not be required to allow access to devolved public services, and calls on the Executive to make a full statement on the intended use of the identity database by devolved institutions.

10:56

**Mr Alasdair Morrison (Western Isles) (Lab):** Oh dear, oh dear, Presiding Officer. This is a classic case of Green party members individually and collectively getting their civil-libertarian undergarments in a twist. It is not a pleasant sight. When prizes for sanctimony are being handed out at the end of term, I have absolutely no doubt that Patrick Harvie will be right up there with our good friend, Mike Rumbles, vying for first place.

If the Green party members listened to real people and to the people whom they claim to represent, MSPs such as Patrick Harvie would have stood shoulder to shoulder with MSPs from the city of Glasgow—colleagues who are sitting to my left and to my right today—and with other Labour MSPs from across Scotland who fought for and secured the Antisocial Behaviour etc (Scotland) Act 2004. The Greens were found wanting on that important issue. They are certainly not in touch with reality, as their motion eloquently demonstrates. If the Greens cannot be trusted on antisocial behaviour—an issue that is of fundamental importance—why should we listen to them on issues relating to national security and the protection of citizens' identities?

I mentioned my Liberal Democrat colleague, Michael Rumbles, but I am surprised to see that the amendment is in the name of Jeremy Purvis, who is a fine gentleman. I cannot believe that he allowed the following words to appear in the Liberal amendment, which suggests that Parliament

"notes the consistent opposition to these proposals by Liberal Democrats in the House of Commons".

Liberal Democrat MSPs are obviously not keeping up to speed with what their colleagues are actually doing and saying down the road at Westminster. I refer specifically to Mark Oaten, the Liberal Democrat spokesman on home affairs, who recently said:

"With 80 per cent in favour of ID cards, I recognise that it will be a very popular measure."

Those were sensible words. He went on to say:

"I supported a private Member's Bill on the issue a couple of years ago."—[*Official Report, House of Commons*, 20 December 2004; Vol 428, c 1969.]

If that is the Liberal Democrats' definition of consistency—

**Iain Smith (North East Fife) (LD):** Will Mr Morrison give way?

**Mr Morrison:** I am certainly happy to give way on that issue.

**Iain Smith:** Does Mr Morrison accept that, in the same speech, Mark Oaten went on to put forward a strong case against ID cards, because he has seen the light and realised that they are wrong, both in practice and in principle? When he mentioned the figure of 80 per cent, he was quoting a Labour minister—he was not saying that he agreed that 80 per cent of people support the proposal.

**Mr Morrison:** I sincerely thank Iain Smith for reinforcing the very point that I was making about Liberal Democrat consistency. I refer him to a quotation from a sensible sage, Sir David Steel, who is reported to have said on 23 November:

"I think the people will find them very useful. And although the Lib Dems are against a compulsory scheme, even if you had a voluntary scheme I think you'd pretty soon find that people wanted to have them."

I also refer to quotations from other people. Sir John Stevens, the Metropolitan police commissioner said:

"It is absolutely essential, in the modern world, the dangerous world we live in, that we have proper means of identification."

The Financial Services Authority stated in July last year:

"in the long-term if the identity card were a more effective token of identity than any currently available, this could contribute substantially to the fight against crime and reduce the cost to industry."

The British Medical Association states:

"Identity cards that contain information about the bearer's right of access to public services clearly have the potential to assist in the efficient delivery of health services."

Those are all wise words.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** Will the member give way?

**Mr Morrison:** I have only a minute and a half left. Otherwise I would give way to Jeremy Purvis, who is a fine young man.

The United Kingdom Government has consulted on the principle of ID cards and on the draft legislation. Public support is high and was high, with about 80 per cent of people being in favour of such a scheme in 2002; I have no doubt that the figure would be well over 80 per cent today.

ID cards are not a threat to our liberties. Our liberties will be strengthened if we are able to protect our own identities and live in safer and

more secure communities. I say to Mr Rumbles that the ID card scheme is part of Labour's wider agenda to make our communities safer and more secure at every level, from our homes and our neighbourhoods to our country.

ID cards will protect people from identity theft and identity fraud, which undermine people's sense of security. ID cards will certainly also help to tackle illegal working, abuse of the immigration system and fraudulent use of free public services, all of which can undermine people's belief in fair distribution of society's burdens and benefits and, thereby, undermine communities.

The Opposition parties' voting record in Parliament speaks for itself. They have proved consistently that Labour is the only party in this Parliament and at Westminster that is prepared to take action on the serious issues that are related to crime and other matters. I urge members to support the amendment in my name.

I move amendment S2M-2463.4, to leave out from "is concerned" to end and insert:

"welcomes the current position of the Scottish Executive in relation to devolved services; believes that identity cards are a central tool in the fight against organised crime and international terrorism; further notes that ID cards would provide a gold standard of identity in the modern world, and recognises that ID cards have attracted overwhelming public support as they assist significantly in delivering safer, more secure communities."

11:01

**Stewart Stevenson (Banff and Buchan)**

**(SNP):** Like some of the older members of the Parliament, I still have my identity card from the previous time. Identity cards were abolished when I was six so I have some experience of them, on which I will, of course, draw. When identity cards were abolished in 1952, they had 39 purposes as distinct from the three for which they were introduced. Patrick Harvie was right to remind us of function creep, just as we have seen mission creep in military campaigns.

In order to consider the matter pragmatically it might be useful to apply the tests that the Tories applied when they examined the issue in 1995, as I suspect that those tests are relevant, pragmatically, today. The tests are that identity cards have to be sufficiently reliable, they have to be accompanied by protections to civil liberties and they must not entail disproportionate cost. I hope that by the end of the debate we will be able to see that, on a pragmatic basis, the proposed ID card scheme fails all three of those tests. Of course, I also take principled issue with what is going on, but my colleagues will develop that aspect later.

I will test the proposals pragmatically. Let me look at the reply that Tony Blair gave in the House

of Commons on 9 February. He stated that a biometric passport might cost £70 and an ID card a further £15. No price is given for an ID card on its own, but it is expected that it would cost between £55 and £70. It is not a cheap item for the individual.

On 11 January, Alistair Darling appeared to confirm to my Westminster colleague for Banff and Buchan that it would cost approximately £500 million to introduce these cards in Scotland. On 20 December, Charles Clarke illustrated the other side of the equation when he confirmed that he envisaged that we would reduce benefit fraud by only £50 million. That is compared to a cost of £5,000 million and rising for the introduction of the system. That is without even thinking about the costs that will not appear in the bill. It is clear that the technologies involved are challenging and would need to be operated by skilled operators. People from Mr Morrison's constituency would not be greatly pleased to find that if they wish to have access to an identity card or a biometric passport, they must get on a plane or a ferry to the mainland to go to one of the few centres that have the skills and equipment to issue the cards. Another issue is whether equipment for checking the cards will be available elsewhere.

Clause 1(6) of the Identity Cards Bill states that the database entry continues after death—even if someone is dead, they are in the database. Of course, the information is absolutely perfect in law, despite the fact that there are opportunities for the secretary of state to change it.

Let me, as a fan of Sewel motions, point to a fundamental issue that the Executive must consider carefully. It is perfectly clear that clause 17 of the bill treads on the feet of the Scottish Parliament. Clause 17 refers to "any other enactment" and clause 17(6) specifies that that includes

"an Act of the Scottish Parliament."

We need to debate the matter further in this Parliament. We should have a Sewel motion to do so; it would be improper to proceed further without that. I will wait with interest to see whether we get an opportunity to discuss the issue on an occasion when ministers respond to the debate.

I move amendment S2M-2463.1, to insert at end:

"and expresses concern that the data format and operation likely to be associated with proposed identity cards conform to no formal international standard and carry the real risk of data disclosure to commercial interests."

11:06

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** The first duty of Government is to protect its citizens, but the protection is not only

from terrorism or invasion. Protecting the liberty of individuals inside the country must have the same status as protecting the country's borders.

We have to be vigilant against glib questions about the challenge to civil liberties such as, what is the problem with having to prove our identity if we have nothing to hide? The Home Secretary is presenting the case for ID cards, which are to be voluntary at first and compulsory eventually, to fight terrorism, organised crime and immigration abuses. I have the highest respect for a gentleman in the chamber, Mr Morrison, who argues that it is inconsistent to be for law and order and not to support ID cards. However, the position is entirely consistent, because the proposed national register has limited scope, but at what financial cost and to what bureaucratic extent? Much of the information already exists and should be better regulated today. It seems senseless to create a brand new national bureaucracy.

The case was put forward that identity cards would assist in the fight against terrorism. However, neither the New York nor Madrid terrorist attackers used false identities to carry out their evil. The US defence—increasingly offence—budget, now stands at nearly £500 billion, but even with that colossal budget the US does not have compulsory ID cards and there is no national database of biometric data for every US citizen. The congressional 9/11 commission report stated that better co-ordination of intelligence was needed, not a greater bureaucracy to database law-abiding US citizens.

The Labour Party might point to there being 80 per cent support for identity cards in opinion polls, but did the Government listen to the opposition to the illegal war in Iraq before going forward on another false premise?

**Stewart Stevenson:** Does Jeremy Purvis agree that it is reprehensible that the 80 per cent figure was derived by pollsters finding out what people would support and then claiming that that represented 80 per cent support? It was not a straight question.

**Jeremy Purvis:** Indeed. If there was ever an example of Dantonesque politics or the attitude of "There go my people, I must follow them," it is on this issue by the Government at Westminster and it should be condemned.

As Stewart Stevenson said, the only period in history when British subjects have been required to carry identity cards was between 1939 and 1952 under the National Registration Act 1939. The system ended because of the stinging comments of the then Lord Chief Justice. He stated that the act tended to

"turn law-abiding citizens into lawbreakers, which is a most undesirable state of affairs."



None of the other major common-law countries in the world—the US, Canada, Australia and New Zealand—has a national ID card system. The cards in the UK will be issued in 2008 and the Government has suggested that Parliament could decide in 2011 or 2012 whether to make it compulsory for everyone to have the cards, although not to carry them. How long would that be the case?

**Patrick Harvie:** Will the member give way?

**Jeremy Purvis:** No. I am afraid that I do not have time. I will come on to the Greens in 20 seconds.

Liberal Democrats in the House of Commons have voted against the Government's proposals consistently and in Scotland Liberal Democrats have ensured that ID cards will not be compulsory to access services that are devolved. If there is a huge fear that there will be a flood of abuse of public services in Scotland, why is the Labour Party opposed to the ID cards being compulsory to access devolved services? The Labour Party has not supported that because it has seen the sense of what the Liberal Democrats have proposed in the Parliament.

The Conservatives are sitting on the fence. They originally supported the proposals and are now abstaining. Alan Duncan, one of their MPs, refused to take the party line during the debate at the second reading. The reason that he gave for not being in the chamber was:

"I think there's a large carol service in the constituency, at which I might suddenly have to read a lesson."

The Labour Government, together with a compliant Conservative party, is eroding our liberty.

Unfortunately, the Greens have missed an opportunity today. On the morning that I hear that they will rip up their cards, and on the morning that they are making statements, they are also writing in the newsletter of the south Edinburgh Labour Party. Where is the point of principle there?

This is not an issue on which to play party politics. If members are opposed to ID cards, they should vote for the Lib Dem amendment.

I move amendment S2M-2463.3, to leave out from first "notes" to end and insert:

"regrets the introduction of the Identity Cards Bill to the UK Parliament, notes the consistent opposition to these proposals by Liberal Democrats in the House of Commons on the grounds that they will be ineffective in their stated aim of reducing terrorism; believes that there is an excessive cost to the individual and the taxpayer in introducing the identity card; believes that it will lead to increased discrimination and harassment; is concerned for the protection of civil liberties with the lack of definition of how the card will be used; further believes that the UK Government should explore more effective anti identity and

benefits fraud, illegal immigration and illegal working measures; is further concerned with the UK Government's intention that by 2013 it will be compulsory for UK citizens to possess an ID card and to produce it when accessing designated public services, and welcomes the commitment by the Scottish Executive that identity cards will not be necessary for accessing devolved services."

11:10

**Miss Annabel Goldie (West of Scotland)**

**(Con):** I think that we have all noted the irony in Mr Purvis's concluding remarks.

The subject of ID cards is one that tends to polarise opinions. This debate has already reflected that. On one side, people argue about the defence of civil liberties; on the other, people argue for the maximum protection of the state. However, it is fair to say that we would not be debating this issue were it not for the events of 11 September 2001.

Conservatives would not have countenanced compulsory ID cards before 9/11, but since 9/11 it has been incumbent on all of us to examine carefully any measures that might enhance the nation's security. Identity cards, if introduced properly and effectively, might indeed help to do that. However, it should be remembered that, even if the Identity Cards Bill is passed at Westminster, the introduction of ID cards will take years. It is vital that any legislative proposal be subjected to searching scrutiny and thorough debate.

We have to accept that a modern world, with the increasing use of new and emerging technologies, requires new safeguards and frameworks to govern how information is used. We have to listen to the views of people such as the police, who tell us that the cards will help them to wage a war on crime, and the security services, who tell us that the cards will be a useful weapon against terrorism. However, we must be sensitive to the legitimate privacy of the law-abiding individual and ensure that fundamental issues of liberty are adequately addressed.

Although Conservatives support the principle of ID cards, we have a great deal of sympathy with the Green party motion. The Government has failed to give enough time for proper scrutiny of this important bill. During the committee stage of the bill, six and a half of the clauses were not even debated and much of the remainder was rushed through.

Furthermore, a number of key questions have not been answered. First, we must be clear about the purpose of ID cards. As Patrick Harvie said, one of the main objections to the wartime identity card was function creep. The card began with three distinct purposes and ended up with 39. In the debate on the current bill, the Government has claimed that a national identity card is needed for

everything—from benefits and services to dealing with people trafficking. It is important to understand precisely what the Government's priority is. The Government must make clear the specific purposes for which an ID card is required.

Secondly, we must be clear about the capabilities of the technology—a point that Stewart Stevenson raised. Biometrics technology is not infallible. The system must be robust—from the card and biometric reader, through to the communications system and right into the central computer, database and software. I have to say, Presiding Officer, that if electronic data in this Parliament can confuse me with Robin Harper, there are frightening technical frailties that would be completely unacceptable in any system for ID cards—I see the members of the Green party applauding; I did not expect my point to be so warmly received.

Stewart Stevenson made a very good point when he suggested that the bill, once enacted, could give legal effect to technical error. That is a troubling thought.

Thirdly, we know that what the Government is proposing is one of the most ambitious technology projects that this country has ever seen. The Government therefore has to have in place the organisation capable of introducing the scheme. There is no evidence that that is yet the case.

The scheme will have to be cost effective, but we know that costs have already soared. They have almost doubled overnight, from £3 billion to £5.5 billion.

Finally, we have to examine the very real concerns over civil liberties that are at the heart of the anxieties that many members have expressed—especially as this scheme comes from a Government that seems to have no concerns for civil liberties whatsoever and that displays an increasingly sinister obsession with political control, with a consequent disregard of individual freedom.

In an ideal world, we would not need identity cards. Sadly, our world is not ideal but increasingly dangerous. It may be necessary to legislate for the possible introduction of ID cards. However, because the Government has failed to answer material questions on the issue, the Scottish Conservatives will support the Green party motion.

**The Deputy Presiding Officer (Murray Tosh):** We move now to the open debate. I will not be able to call everyone who has requested to speak.

11:15

**Chris Ballance (South of Scotland) (Green):** ID cards will not be an effective tool in tackling terrorism. Since 9/11, the United States and

United Kingdom Governments have successfully created a climate of fear that is intended to pacify the public and to allow the Governments to introduce measures that will for ever alter and restrict our civil liberties.

The reality is that ID cards have little impact on counter-terrorism. A study published last year found almost no evidence to establish clearly how identity cards could be used to prevent terrorism. The study further revealed that two thirds of known terrorists operated under their true identity and that the remainder used forgeries or impersonation to create fake identities. A terrorist organisation that can forge passports can forge ID cards just as easily. It could even turn into big business for organised crime. The French Government discovered that fraudulent production of its new “unforgeable” smart card quickly became, during the mid-1990s, one of the most profitable criminal activities in the country.

At Westminster, David Blunkett, who introduced the Identity Cards Bill, admitted that it would be possible to acquire a valid ID card under a false identity but said that an individual who did so would then be stuck with that false ID card for life. One might ask how big a problem that would be for a suicide bomber.

My second concern is that, far from increasing security, harmony and peace in our society, ID cards will worsen the harassment of ethnic minorities. Perhaps most worrying is the thought that ID cards could provide another pretext for stop and search—a policy that has often been directed at ethnic minorities. The Joint Council for the Welfare of Immigrants has raised serious concerns about the impact of ID cards on black and minority ethnic communities. The council argues that the identity card could lead to discrimination against minority groups. That concern is based on sound research evidence and it is a concern that I share. Research in European Union countries has shown that ID cards impact disproportionately on ethnic minority groups and end up increasing the tension between the police and ethnic minorities.

Rural areas such as my South of Scotland region will not be immune from such concerns. Recent research on rural racism has highlighted the fact that ethnic minorities in the Scottish countryside are frequently the victims of repeated racist abuse and prejudice. The Executive says that tackling racism is one of its priorities, so how can ministers support ID cards when they increase racial tension and work against the aims of the Executive's anti-racist strategy? There is solid evidence of the impact of ID cards on race relations in other countries, but has the Executive even considered the potential problems of ID cards?

The Greens want a peaceful Scotland that is free from racial tension and a more peaceful world that tackles international terrorism by implementing truly effective measures. That is why we cannot just sit back and allow the Home Office to ride roughshod over such aims and impose its policy on Scotland.

**Pauline McNeill (Glasgow Kelvin) (Lab):** Will the member take an intervention?

**The Deputy Presiding Officer:** I do not think that there is any time for an intervention. If Ms McNeill wants to be called to speak herself, she had better allow Mr Ballance to finish within his four minutes.

**Chris Ballance:** As my four minutes are just about up, I will finish by saying that the Government's measures are unacceptable. They are ill thought out, ill founded and unplanned, and have been rushed through with a minimum of consultation. It is important that we state our concerns about them.

**The Deputy Presiding Officer:** I call Cathy Peattie, to be followed by Carolyn Leckie and then Pauline McNeill. I am afraid that that is all there will be time for.

11:19

**Cathy Peattie (Falkirk East) (Lab):** ID cards could fulfil several useful purposes. They could be used as a means of countering the social exclusion that prevents people from opening bank accounts and participating in modern consumer society. Even taking internal flights can be difficult if various forms of identification are not presented. Not everyone has a passport or a driving licence, or even a household bill in their name. Young people need to be able to present proof of age and identity when they are out and about. It would be helpful if they did not have to carry a passport around with them. My own experience tells me that passports left in jeans do not wash particularly well.

That said, the issue can be addressed in a number of ways that include several variations on the ID theme. We need to have a full debate that enables people to understand the pros and cons of the way in which ID cards could affect their lives. We need to consult people and listen to their concerns to ensure that the benefits of identity schemes do not come at the expense of civil liberties. We also need to assess whether the benefits of the schemes justify their cost.

The Scottish Parliament does not have the final say on the ID card proposals. Indeed, many aspects of their impact are reserved. However, it is inevitable that there will be knock-on effects and various devolved aspects of their use.

The Government says that it would not be compulsory to carry a card. The decision on when ID cards would become compulsory would be taken by the UK Parliament when take-up had reached an appropriate level and when public acceptability and the technological feasibility of schemes had been demonstrated.

ID cards should remain voluntary, as the First Minister has said on more than one occasion. He said:

"we have consistently advised the UK Government that our policy position is that any proposals for"

an

"identity card system in the United Kingdom ... should not and will not be compulsory for use in relation to devolved services in Scotland."—[*Official Report*, 13 November 2003; c 3254.]

**Mark Ballard (Lothians) (Green):** Does the member therefore disagree with what Tony Blair said on 1 December in the House of Commons? He said:

"We think that it is legitimate and right, in this day and age, to ask people to carry identity cards".—[*Official Report, House of Commons*, 1 December 2004; Vol 428, c 627.]

Surely that was a call for compulsory cards.

**Cathy Peattie:** I said that the cards should be voluntary and I will continue to say that we need to have a fair and open debate on the issue. However, if a system can be devised to address the issues that I have mentioned, I believe that it deserves consideration.

There are differing views in the business community about the implications of an ID card scheme. There are also arguments within the information technology industry about the technological feasibility of the system and, of course, there are many questions around the issue of civil liberties. That said, if an ID card system is worth doing, it is worth doing well. We should take time to ensure that there is a wide and inclusive debate.

The Scottish Parliament and the Scottish Executive will have a full opportunity to influence the development of ID cards. We need to ensure that their use is consistent with devolved decisions and initiatives. ID cards may become inevitable, but their success will depend on consensus. If the public are opposed to a Government policy, the policy is fatally undermined. We have an example of that in the poll tax. It is clear that we need full discussion and consultation at every stage of the process. We heard earlier that 80 per cent of people want to have ID cards. If the public are involved at all levels of the debate, they will support the policy.

**The Deputy Presiding Officer:** Before I call the next speaker, I want to make it clear that there will be time for closing speeches.

11:23

**Carolyn Leckie (Central Scotland) (SSP):** When I watched "Minority Report", like many others, I thought that I was watching a sci-fi fantasy set in a totalitarian state. I thought that it could not possibly transfer to my reality, but how wrong I was. Let us be clear that this is about the power of the state and about control over individuals.

In June 2004, the United Kingdom information commissioner, Richard Thomas, said that he viewed the scheme with "increasing alarm". He said that he was not opposed to identity cards in principle but that the British plans were more ambitious than any other scheme in the world. He called the scheme "unprecedented" in international terms and said:

"This is beginning to represent a really significant sea change in the relationship between state and every individual in this country ... it is not just about citizens having a piece of plastic to identify themselves. It is about the nature of the information held about every citizen and how that is going to be used in a wide range of activities."

If we need protecting from anyone, we need protecting from the state.

**Stewart Stevenson:** Does the member share my concern at clause 19(2)(b) of the bill, under which information may be shared with the chief of the Secret Intelligence Service, MI6? Given that the Intelligence Services Act 1994 makes it clear that the service's operation is limited to foreign matters, that means that information may be sent abroad as well.

**Carolyn Leckie:** I thank Stewart Stevenson for that piece of information. It will not surprise him to know that I think it abhorrent.

The operation of an ID card system creates problems that put personal safety at risk. Last year, a worker at the Driver and Vehicle Licensing Agency leaked personal information about car registration numbers to animal rights activists who then targeted individuals. The existence of the database would increase the potential for abuse by individuals on the far right or by someone with a grudge against a former partner.

Given that the cards might include medical information, anyone who got access to the database could find out and exploit people's physical and psychological weaknesses. Of course, that risk includes exploitation by the multinational corporations that would operate the database.

Chris Ballance referred to the concerns about the increasing harassment of ethnic minorities,

which are concerns that are shared by Trevor Phillips, the chair of the Commission for Racial Equality.

Terrorism is being used, although not very credibly, as an excuse for the database to be set up and for ID cards to be issued. If the technology is available to implement the system, it is also available to counter it. Sophisticated networks would be able to obtain counterfeit cards that would provide even more credible false identities than those currently available. That would increase the risk that access could be gained to areas where terrorism could be carried out. Terrorism will be prevented only by political solutions and the biggest single step that could be taken is for the US and its allies to stop interfering in and profiteering from the rest of the world, including Iraq and Afghanistan.

Many errors are predicted in the database. Passports are stolen and used to maintain false identities. Among the technologies that are used by Atos Origin UK, the prime contractor of the trial, is NEC's automated fingerprint identification software, which is considered to be the best of its type in the market and which is used by the US Department of Homeland Security among others. According to NEC, the technology has been found to be 99.3 per cent accurate. When scaled up to the UK population, the margin of risk would amount to 420,000 people being mistakenly identified—legally, they would be somebody else. It is not just the state that will retain and abuse this information; multinational companies will use it as well.

Ministers should look at the example of the Australia card. It started off with opinion polls in support of it, but a mass movement arose and defeated the card after a campaign that led to the dissolution of Parliament, a general election and unprecedented divisions within the Labor Government—I must say that that would be nice. The UK Government could have another poll tax on its hands—

**The Deputy Presiding Officer:** Quickly.

**Carolyn Leckie:** I will finish by quoting David Blunkett, who said:

"Knowing your true identity and being able to demonstrate it is a positive plus. It's a basic human right all of us should treasure."

I do not need Blunkett, Charles Clarke or any member of the Government to tell me who I am and neither does anyone else.

**The Deputy Presiding Officer:** While that speech was taking place, we conducted an inquisition into where the time has gone. We discovered a double entry: we had Mark Ballard down twice to close for the Green party. I am sorry, Mr Ballard, but you are not going to close

twice. After calling Pauline McNeill, I will be able to call Brian Adam.

11:28

**Pauline McNeill (Glasgow Kelvin) (Lab):** Whoever we are, we all guard our identities. However, we live in an age in which we exchange information about ourselves by telephone or over the internet almost daily. That exchange of information, whether it is concerned with banking, ticket sales or insurance, is made because of the convenience of receiving services in our homes. However, it comes at a price. Companies hold more details and information on us than ever before. We should all think about the issue.

The internet is now more frightening than ever. I am thinking of the spyware programmes that track the websites that we surf. Most of us are low-tech people who think of cookies as something that we have when we need a sugar fix. However, the high-tech among us, particularly Stewart Stevenson, know that cookies are a form of computer technology that is used to record a footprint on every website that we visit.

**Stewart Stevenson:** Will the member give way?

**Pauline McNeill:** No, thank you.

We live in a world in which we are already exchanging massive amounts of information about ourselves. It is important to remember that that is the context of the debate. Today, we are being asked to debate a motion on the subject of the Identity Cards Bill that is before the UK Parliament. It would appear that we are debating the proposal against a backdrop of overwhelming public support. Carolyn Leckie said that ID cards could be the new poll tax, but she fails to recognise that, whether I agree with it or not, public support is now reaching 80 per cent, which is not something that any political party can ignore.

**Carolyn Leckie** *rose—*

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD)** *rose—*

**Pauline McNeill:** I cannot accept that the protection of civil liberties is the sole preserve of any one person here. It would be wrong to have the debate in that context. I have never been comfortable with the idea of an ID card scheme—I will say more about that in a minute—because there are issues of individual privacy that we must weigh up when considering such schemes. However, we have to acknowledge that, for whatever reason, attitudes have changed.

**Carolyn Leckie:** Will the member give way?

**Pauline McNeill:** No, I will not.

Chris Ballance raised the potential harassment of racial minorities. Neither I nor any other

member takes that matter lightly. It is a serious consideration for me, and I am sure for everyone, in determining the type of scheme that we would have, but I would like there to be some acknowledgement of what has been done by all parties and the Executive. Agencies that would operate any scheme are making progress in the way that they deal with ethnic minorities. We should not jump to the conclusion that our police forces will harass ethnic minorities. It should be recognised that we are making progress.

Whatever our position on ID cards, and whatever the reasons for people supporting them, it is crucial that we should agree on the facts. However, clearly we do not. One briefing that I have received shows that the Spanish police stated that nearly all the terrorists involved in the Madrid bombing said that it was made easier by Spain's ID card scheme. Others think that that is not the case. We need to talk about the facts.

The benefits of an ID card scheme are overstated. ID cards have the potential for use in the fight against terrorism, but that has to be carefully considered. We all accept that there are certain situations where we have to prove who we are, and that requirement will increase. However, many people are concerned about the cost of the scheme. Members have mentioned the system of biometrics, which we are just beginning to learn about, but it is a validation system not an identity system.

I cannot support a compulsory scheme. I would not support a scheme that meant that citizens would have to produce their cards either on the spot or in a police station. Such an element of a scheme would not be justifiable. However, I ask Parliament to note that in the UK bill there is no mention of a compulsory scheme. That may be planned for the future, but I would oppose it. I welcome the Executive's position that devolved services will not demand an ID card.

11:32

**Brian Adam (Aberdeen North) (SNP):** That is the key question—whether ID cards will be compulsory or voluntary. The Executive's position is that ID cards will be voluntary for accessing services in Scotland, but I can see no purpose to ID cards unless they are compulsory. The very people whom ID cards are designed to catch out are the very people who will avoid them if they are voluntary. There is no point in a voluntary scheme, and especially not one that will involve such significant expenditure.

I point out that the Executive already has a record of introducing and supporting voluntary schemes to access services. Significant sums from the modernising government fund have been

expended in the city of Aberdeen to develop an access and entitlement card, which effectively is what any voluntary scheme will produce. The questions are, how long did it take to get the scheme up and running, how successful has it been, and what services have been put on it? I tell members that it has already cost many millions—much of which has been provided by the Executive—and it has had significant teething problems, to say the least. The number of people using it, out of a population of 200,000, is currently projected to be 40,000 at most, with an ambitious target of 70,000 eventually. Currently, the card only allows access to school canteens, and it is projected that it will be expanded to allow access to concessionary fares schemes in the near future.

I have significant doubts about whether that is value for money. I have significant doubts about whether the entitlement provisions for any national scheme will be of much value in any case. Undoubtedly, unless the scheme is made compulsory, it will be of no value whatsoever in terms of benefit fraud or security. In fact, any scheme would be no more valuable than those little badges that we are given when we go to public buildings or major corporations, where nobody ever checks what the badge says. I have no doubt that the scheme is well intentioned but, in terms of practicality, it is not a sensible measure.

11:35

**Iain Smith (North East Fife) (LD):** It is important that the context for this debate is the principles and practicalities of the scheme. I am disappointed that those who support ID cards have failed to make a principled case for their introduction. It is simply not good enough to accuse those who oppose ID cards of being soft on crime because, frankly, there is little or no evidence that the proposed ID cards will help in the fight against crime, terrorism or benefit fraud. Indeed, the 9/11 bombers were travelling under their own identities. Spain has ID cards, but that did not prevent the Madrid bombings. Only 5 per cent of benefit fraud is the result of identity fraud, so 95 per cent of benefit fraud would not be affected by any ID card scheme.

The ID card scheme that is proposed in the UK Government bill is flawed and expensive, and has nothing to do with the fight against crime or with preventing terrorism. Frankly, the money that is going to be wasted on a national ID card system would be better spent on proper measures to deal with fighting crime, such as putting more police in our communities. Neither is the system practical. There is no evidence that the technology has been proved. The Government does not have a record of successfully introducing mass computerised systems. In fact, quite the opposite—it has a

record of completely failing to introduce national computerised systems successfully. The technology is unproved.

**Stewart Stevenson:** To correct Pauline McNeill, does Iain Smith share my concerns that under clause 7 there are powers for an order to be laid to make the scheme compulsory?

**Iain Smith:** I am deeply concerned about any proposals to make the scheme compulsory. I think that it will be made compulsory, but by the back door, even if those powers do not exist. Everyone who gets a passport after 2008 will be forced to have a national identity card, whether they want one or not. They will also be forced to go down the unproven route of biometrics. If they do not have a passport they will not be able to travel abroad, so they will have to have a national identity card. Surely that is a breach of civil liberties if ever there was one.

The issue is also one of principle. Government should hold only such data on individuals as are necessary. It is a basic principle of data protection legislation that the data held should be only the minimum that are necessary for the purpose for which they were collected, and they should only be held for as long as is necessary for the purpose for which they were collected. It is also a basic principle that only those who require the information for the purposes for which it was collected should have access to that information, and that information should not be given to others without consent. The proposed national identification register in the bill breaches all those fundamental principles of data protection.

As a party, we are opposed in principle to the national identity card scheme. Mark Oaten has made his position clear on that. I quote from his speech, which Alasdair Morrison also seemed keen to quote:

"I will happily rehearse why I have changed my mind. I am concerned about the cost implications and the civil liberty implications. I am not convinced that ID cards will work in relation to terrorism and I do not believe that they will help to tackle benefit or health fraud. It is a completely flawed system and now that I have seen the detail I fundamentally oppose the Bill."—[*Official Report, House of Commons*, 20 December 2004; Vol 428, c 1970.]

We are consistent in our position, which contrasts with that of the Conservatives, who do not know which way to turn. How they will vote depends on which shadow minister one asks on which day. Michael Howard said that he supported the ID card system, but now the Conservatives are going to vote against it. The Conservatives in this chamber could not make up their mind for this debate, and will probably have changed their minds again by this afternoon. The Conservatives do not know where they are on ID card systems. Frankly, I am not surprised that Annabel Goldie's

identity was confused with Robin Harper's, because the Conservatives do not know where they face on this issue. No one can tell what face the Conservatives will present on identity cards, because they have so many that it is very confusing. I beg members to support the Liberal Democrat amendment if they really want to get rid of the national identity card scheme.

**Mike Rumbles:** On a point of order, Presiding Officer. Alasdair Morrison was not present for the closing speeches. Will you make a ruling on that or confirm that it is a discourtesy to the chamber?

**The Deputy Presiding Officer:** There is nothing about that in the standing orders and I cannot make a ruling about the presence of members during closing speeches. However, members are well aware that we expect that those who have participated in a debate will be present for all the closing speeches. I am happy to confirm that that is the position.

11:41

**Margaret Mitchell (Central Scotland) (Con):** I want to pick up on Iain Smith's point. He is consistent with his Labour partners, who in turn have consistently railroaded legislation and Sewel motions through the Parliament without adequate scrutiny. The legislation on ID cards is another example of that. Sadly, we live in an age in which the importance of taking measures to prevent terrorist attacks cannot be underestimated. That is surely something about which all parties have a common view.

**George Lyon (Argyll and Bute) (LD):** Will the member take an intervention?

**Margaret Mitchell:** I am sorry, but I must press on. Contrary to Pauline McNeill's assertion about civil liberties, part of the process of delivering such measures involves obtaining intelligence to counter terrorists' plans and, in turn, encroaching on privacy and civil liberties, which should never be done lightly. For that reason, it is vital that every suggested approach to countering terrorism be scrutinised thoroughly and examined in detail in order to demonstrate that it takes full account of similar or related experience to ensure, as far as possible, that it will be workable and that it will achieve its stated purpose. That approach must be adopted in considering the introduction of ID cards, as with any other preventive measure.

It is therefore a matter of grave concern that there has been a lack of time for parliamentary scrutiny of the Identity Cards Bill at Westminster. Despite that lack of scrutiny the UK Government—like Alasdair Morrison—has made a number of claims in respect of ID cards.

**Dr Elaine Murray (Dumfries) (Lab):** Will the member explain whether the Conservative party is

in favour of or opposed to ID cards in principle?

**Margaret Mitchell:** I will explain it plainly and slowly in words of one syllable. We are, in principle, in favour of anything that can address terrorist attacks.

**The Minister for Parliamentary Business (Ms Margaret Curran):** Is that a yes?

**Margaret Mitchell:** That is a yes, with the proviso that the measure is considered properly—which the coalition never does. On Thursday the Lib Dems may pat themselves on the back and say that they are opposed to the scheme, but who knows what they will be doing on Friday?

Alasdair Morrison and the UK Government have said that ID cards will be a vital tool in challenging organised crime and terrorism, will prove invaluable in tackling illegal working and immigration abuse and in countering identity fraud and will facilitate access to public services and help in establishing people's entitlement to such services.

Since the issue was mooted, the proposed card has developed from being an entitlement card with an emphasis on the link between it and the use of services to an identity card that is intended also to disrupt terrorists' use of false and multiple identities. It is clear that in the Government's eyes the purpose of the card has evolved; it now views ID cards as the magic solution to a number of serious problems. There must be doubts about cards being such a solution; although Spain has had them for years they did not prevent the attacks of 11 March 2004, which is regrettable.

**Christine May (Central Fife) (Lab):** Will the member take an intervention?

**The Deputy Presiding Officer:** The member is in her last minute.

**Margaret Mitchell:** Furthermore, although the cards are intended to tackle fraud, it is inevitable that they will generate fraud as those who are not entitled to them try to get around the system.

All those questions remain unanswered and we have no details of the costs and benefits, nor the necessary reassurance about the protection of privacy. Patrick Harvie highlights those points in the motion, which is why we will support it. It is essential to acknowledge, as Annabel Goldie said, that even if the bill is passed, it will take years to come fully into force. In the meantime, the problem that it is intended to address will not just remain, but will worsen.

11:44

**Mr Kenny MacAskill (Lothians) (SNP):** We have no hesitation in supporting Patrick Harvie's motion. The amendment in Stewart Stevenson's

name is meant to attract support for the motion, not subtract it. Clearly the matter is one of balance. We require to balance the rights of the individual with the rights of the state and the costs involved with the benefits that will accrue. We have to weigh those factors on the scales of justice to see whether the measures are deliverable.

Based on what Cathy Peattie said, it appears that the measures are not only benign, but positively beneficial. The costs will be minimal and the benefits will be substantial. We will be able not only to take a Ryanair flight within the UK, but to address the threat of international terrorism and organised crime. If only that were the case—when we drill down into the details we see that it is not. In terms of terrorism, civil liberties and costs, the bill is weighed on the scales of justice and is found wanting.

The bill will not address terrorism. As many speakers have said, Spain has ID cards, but they did not stop the atrocity in Madrid. The state of Israel has ID cards and it knows that the way to address terrorism is not simply through employing sophisticated technology, although it has it manifestly across the board. The way to address terrorism is not to whip up a climate of fear whereby we move from a McCarthyite reds-under-the-bed situation to a Blairite terrorist-around-the-corner situation. The way to address terrorism is two fold. First we must address the root causes, the inequalities and injustices that permeate the world and allow terrorism to fester, on which the likes of Chomsky have commented at length. Secondly, we must identify the perpetrators. When Britain faced the provisional Irish Republican Army, which was probably the most sophisticated terrorist outfit known for generations, if not in the history of modern society, it did so successfully in the main through gathering sophisticated intelligence and identifying the protagonists without bringing in measures that would manifestly fail, whether internment or ID cards. It all comes down to getting sophisticated intelligence. We have to consider whether the benefits are applied or lost. If we introduce the measures in the bill we will create a greater pool of people from which to select and recruit terrorists, rather than address the problem and identify perpetrators.

On civil liberties, given that the devolved legislature does not seek to make the cards available—for all the benefits that Ms Peattie and others have suggested would accrue—why would we want to incur the cost? If the card would allow people to access benefits as a citizen of the state, there would be an argument for it. However, given that this legislature, which is in charge of health and other services, access to which would form the beneficial basis of the system, says, “We’re not having it,” there is clearly no benefit to it. That

takes us back to the cost involved, which would be substantial. If the cost were minimal, we could say that perhaps on balance the cards were worth it. However, we are talking about not millions, but billions and the costs will continue to rise.

Will the system provide any benefit in addressing terrorism? No it will not. Will it provide any benefit in protecting civil liberties and improving citizens’ rights to access matters of state? No it will not. Will it provide benefit in making this a safer country and providing the sophisticated intelligence that our police and security services require or in providing a more visible police presence, which is the best method of making people feel secure and able to play their part? No it will not. When the bill is weighed on the scales of justice it is clearly found wanting, which is why we oppose the position of the Westminster Government.

11:48

**Scott Barrie (Dunfermline West) (Lab):** The debate has been interesting and worth while and I thank the Greens for allowing us the opportunity, however brief, to touch on some of the issues associated with ID cards and debunk some of the myths that are bandied about, which have been repeated this morning. Patrick Harvie touched in his opening remarks on the potential cost of introducing ID cards, but he forgot to tell us that most of the cost is in producing biometric passports, which are becoming increasingly necessary in the world anyway.

**Patrick Harvie:** Will the member give way?

**Scott Barrie:** No, not just now. The three non-European Union countries that I have visited most recently are Cuba, Australia and the United States, all of which have visa entry requirements. Without biometric passports, entry to the USA will become more difficult and far more expensive. The same goes for other countries. Iain Smith seemed to say that we should not endorse biometric passports, but that we should take a King Canute approach to international travel, ignore what other countries are asking for and say that, as usual, the United Kingdom knows best.

What we have heard this morning sets out clear dividing lines between those of us on the Labour benches, who are in tune with public opinion, and those on the Opposition benches, who are out of touch and are ignoring public opinion. And when have we heard that before? We heard the Opposition ignoring public opinion last year, in relation to antisocial behaviour. We won that argument, with Johnnys and Sallys-come-lately now supporting the very measures that they once opposed. Despite any vote in the chamber this afternoon, Labour will win the debate on identity cards.



**Carolyn Leckie:** Will the member take an intervention?

**Stewart Stevenson:** Will the member give way?

**Scott Barrie:** It was interesting that not one of the SNP speakers this morning commented on the practice of other European countries, with the slight exception of the previous speech, which at least mentioned Spain. Given that the SNP liberally flits around the map of Europe, finding one country after another to fit whatever argument it is advancing on any given day, it is interesting that we have heard nothing from SNP members about the practice of any other small European nations that have identity cards. The pick-and-mix mentality continues.

**Carolyn Leckie:** Will the member give way?

**Scott Barrie:** In the Tories' opening speech, Annabel Goldie attempted, but ultimately failed, to hide the Tory splits over this issue. We know that they are divided on the issue at Westminster but their failure to produce an amendment for today's debate shows that their small group in Edinburgh is also divided on the issue. Indeed, Miss Goldie's opening speech sounded as if it had been drafted by committee.

**Carolyn Leckie:** Will the member give way?

**The Deputy Presiding Officer:** Please sit down, Miss Leckie.

**Scott Barrie:** The first half of Miss Goldie's speech acknowledged the new post-twin towers world that we live in, but in an attempt to hide the Tory divisions, she hid behind a spurious argument about the amount of time the bill is getting at Westminster.

**Stewart Stevenson:** Will the member give way?

**Carolyn Leckie:** Will the member take an intervention?

**Scott Barrie:** No, thank you.

The question, which Margaret Mitchell went some way towards answering, is simple: are the Tories for or against the use of identity cards? They cannot have it both ways, even if they are only portraying the contradictory views of their UK leader and the shadow Home Secretary.

**Miss Goldie:** Will the member give way?

**Scott Barrie:** Yes.

**Miss Goldie:** My goodness; democracy can occasionally be found in the Labour party.

I have disposed of my speech notes to the official report, but I will repeat what I said earlier. The Conservatives, in principle, support ID cards. I cannot make that any clearer. I then articulated—

**Iain Smith:** Why are they voting for the Green amendment, then?

**The Deputy Presiding Officer:** Order.

**Miss Goldie:** I went on to articulate the significant list of reasons why this incoherent, ill-founded, incomplete, uncosted, unscrutinised and untested proposal deserves legitimate questioning and criticism.

**Scott Barrie:** Quite simply, the proof of the pudding will be in the eating. We will see how the Conservatives vote this evening.

Miss Goldie gave, as an example of an argument against ID cards, yesterday's mix-up between her voting card and Robin Harper's voting card. I would have thought, however, that that example highlights why we need a gold standard regarding our own identity. I am sure that there was nothing fraudulent in yesterday's mix-up but that is not the case in relation to an increasing number of people who misuse others' identity to perpetuate crime. As someone who has had their identity stolen and in whose name a loan has been fraudulently obtained, I know that from first-hand experience.

It seems strange that those who oppose identity cards fail to acknowledge the amount of identification that we all carry every day. At least, if we had an identity card made to a gold standard, we would have clear, foolproof evidence of our own identity. That way, we would all know where we stood.

11:53

**Mark Ballard (Lothians) (Green):** The debate has demonstrated the tremendous amount of genuine concern that members in all parties have about the impact of ID cards on the people of Scotland. We heard concerns expressed across the chamber, from Margaret Mitchell through to Carolyn Leckie. We heard strong speeches from Jeremy Purvis and Stewart Stevenson. Further, we heard genuine concerns about this scheme—which is a compulsory scheme—from Labour back benchers. In particular, we heard from Annabel Goldie that the Identity Cards Bill has been rushed, which undoubtedly means that it is flawed. The consultation that Cathy Peattie asked for is not going to happen because Labour is trying to push the bill through Westminster before the general election. There is no opportunity for that proper consultation or, as Annabel Goldie pointed out, proper parliamentary scrutiny.

**Stewart Stevenson:** Does the member share my concern that under paragraph 6(g) of schedule 1 to the bill, all those who add their signatures in support of someone's application for an ID card will find themselves in the database involuntarily?

**Mark Ballard:** I agree completely. That is a good example of the fact that the bill provides

minimal oversight of the scheme and that the detail of the scheme has major civil liberties implications that have not been properly discussed. The Home Secretary is effectively being allowed to become a law unto himself. He is given 31 new powers—nearly two thirds of which do not require any parliamentary oversight—all to facilitate Scott Barrie's holiday plans by enabling him to visit the United States of America more easily.

Of course, there are concerns not only about the fact that the Identity Cards Bill is fundamentally bad law, but about the effectiveness of the scheme to deliver the benefits that Alasdair Morrison and others have suggested might exist. Iain Smith made valid points about the principle and the practicality of the scheme.

Members have raised legitimate concerns about the role of ID cards in countering terrorism. Many have pointed out that the USA's system of identification did not protect its citizens against the terrorist outrage of September 11 because the bombers of the two towers were generally carrying valid identification, and that Spain's ID card system did not protect the people of Madrid from a terrorist outrage in the form of the Madrid train station bombing.

Concerns were expressed about the cost-effectiveness of the scheme. We have seen cost rises in Government programme after Government programme. For example, the national health service information technology programme was supposed to come in at £6.2 billion but its eventual cost was £18.8 billion. I do not believe that the current £5.5 billion price tag of the ID card scheme will be the eventual price tag. The cost will go up and up.

We have heard genuine concerns from members of all parties about the inability of the legislation to ensure that the cards are effective in relation to issues such as benefit fraud, illegal working and illegal immigration. Stewart Stevenson made a valid point about the costs and the benefits. Iain Smith pointed out that 95 per cent of benefit fraud is not about identity, but about people working in the illegal economy. An ID card system will not tackle that.

Using evidence from the countries that currently use ID cards, Chris Ballance pointed out that issues of ethnic tension are exacerbated by the police powers that accompany ID cards. The Tories scrapped the sus laws that were in operation in Brixton in the 1980s because of the ways in which they were being used against ethnic minorities. We do not want them to come back in the form of ID cards.

The massive database will contain an unprecedented amount of information on people.

That is a genuine concern. In this chamber yesterday, the identities of two of our members—Robin Harper and Annabel Goldie—were confused by the database of 129 people. Even if it is 99.3 per cent accurate—a figure that Carolyn Leckie mentioned—a biometric database of 60 million people will confuse hundreds of thousands of identities.

The Executive might be able to ease our concerns over the use of ID cards to access devolved services but Charles Clarke has stated that, ultimately, the scheme will effectively be compulsory. Under clause 2(4), Charles Clarke, as the Home Secretary, will have the power to enter into the national database information about a British citizen without their consent. This is a compulsory database. In the debating chamber in Westminster, Tony Blair has said that he wants everybody to carry ID cards. I heard what the Labour back benchers said but this is a compulsory scheme—make no mistake about it—and the support that was demonstrated in the opinion polls that were quoted will disappear rapidly when it becomes clear that the scheme will be compulsory.

**Carolyn Leckie:** Will the member give way?

**Mark Ballard:** Yes.

**The Presiding Officer (Mr George Reid):** It will have to be quick.

**Carolyn Leckie:** Does Mark Ballard share my astonishment at the lack of consistency of Labour members who quote opinion polls as justification for implementing policy? If they were going to implement popular policies, they would abolish the council tax and they would not have bombed Iraq.

**The Presiding Officer:** Please wind up, Mr Ballard.

**Mark Ballard:** I agree with that, and I agree with Stewart Stevenson—a Sewel motion will be necessary. We might not be able to vote against the Identity Cards Bill becoming law, but the Executive must take the concerns of the Scottish Parliament forward. We can all encourage the people of Scotland to join the national campaign against ID cards. Members from all sides of the chamber have said that the bill will be costly, unworkable and ineffective. It will undermine half a century of work on civil liberties and worsen discrimination against minorities. I urge all members to unite behind the Green party's motion.

## First Minister's Question Time

12:00

### Prime Minister (Meetings)

**1. Nicola Sturgeon (Glasgow) (SNP):** To ask the First Minister when he will next meet the Prime Minister and what issues will be discussed. (S2F-1458)

**The First Minister (Mr Jack McConnell):** I expect to meet the Prime Minister again soon and I am sure that we will have a wide range of issues to discuss.

**Nicola Sturgeon:** Given the serious problems in the national health service that have again been highlighted this week—longer waiting times, staff shortages in NHS 24 and cancelled operations due to a lack of beds—does not the First Minister think that it is time that he gave the NHS more of his personal attention?

**The First Minister:** The national health service not only gets a lot of my personal attention, but it clearly gets the attention of the ministers responsible for health. This morning, the Minister for Health and Community Care has been outlining the dramatic reductions in the number of people who wait longest in the national health service and the significant improvements that are taking place in relation to out-patient appointments, which is an area that I have personally raised in this chamber on several occasions as one in which performance had to improve significantly. That workload, should Ms Sturgeon want to call it that, goes on, but it is not seen as a chore; it is an opportunity to ensure that the people of Scotland have and are seen to have better health care delivered to them.

**Nicola Sturgeon:** I suggest to the First Minister that, in light of the experiences of real patients that rarely match up to his spin, he needs to take a bit of a look at his priorities. For example, is he aware that his diary for last year, which was published earlier this week, shows that he visited just one hospital in the course of the entire year? He managed to swan around at 10 major sporting events but went to just one hospital. Is that because, as the facts published today show, out-patient waiting times are up, in-patient waiting times show no sign of improvement and the waiting list is at an all-time high? He knows that he has no answers for the patients and staff who want to know why.

**The First Minister:** If the diary list that has been published includes only one entry, it is inaccurate and I will ensure that it is corrected. I assure Ms Sturgeon that in my constituency and throughout Scotland, I visit not just hospitals—the health service is about much more than hospitals—but a

wide range of other health facilities. I treat all the staff throughout the health service with the respect that they deserve and listen to what they have to say, as well as listening to what patients have to say.

Patients say that it was wrong to concentrate several years ago only on bringing down in-patient waiting times and that it is also vitally important to bring down out-patient waiting times and to shorten out-patient waiting lists. After the considerable efforts that have been made, today's statistics show a reduction in out-patient waiting times and in the length of the waiting list; those results are long overdue and required to be addressed. We also see yet another significant reduction in the number of people who have been waiting the longest in our national health service.

Ms Sturgeon might want me to distort the figures to ensure that the so-called median comes down by concentrating on those who have not waited longest, but I am not prepared to leave behind those who have waited the longest in our national health service. They remain our highest priority. Those individuals' procedures might take longer, their operations might be more difficult and they might require more specialist treatment, but those who have been waiting the longest are still our highest priority. It is their waiting times that are coming down and that will continue until they are all waiting less than six months.

**Nicola Sturgeon:** Is it not the truth that the First Minister finds it difficult to look Scottish patients in the eye because he knows that for all the spin and distortion, his Government is failing to deliver? Is it not the case that, compared to 1999 when the Labour and Liberal Government came into office, today's NHS is treating fewer patients and that waiting times are 10 days longer for out-patients and 13 days longer for in-patients—all at a time when Scottish taxpayers are stumping up more and more cash? Can he explain why the Scottish people are paying so much more to get so much less?

**The First Minister:** I am afraid that Ms Sturgeon is living in the past. The reality is that the national health service today delivers treatment in a variety of ways, using a variety of members of staff and a variety of procedures. It is right and proper that it should do so. Just to ensure that the statistics were in some way more impressive would not be a good enough reason for us to stay in the past and ensure that all treatment was still carried out by consultants or other professionals of that sort. It is right and proper that our health service today delivers treatment in a variety of ways. That means that activity must be measured in a variety of ways.

While it is right and proper that we should continue to concentrate on bringing down the

longest waits—which have already been brought down dramatically—and on shortening the out-patient waiting list and the waiting times for out-patients, because the start of the journey is as important as the end, it is also right and proper that we should go to other sources in order to increase capacity in our NHS. It is Ms Sturgeon and her party who are totally opposed to the improvements in capacity that will ensure that thousands of people in Tayside, Glasgow and elsewhere in Scotland will be treated over the next few months. Not only will we see an improvement in the statistics but, much more important, patients will get looked after properly.

**Nicola Sturgeon:** I say to the First Minister that I am talking not about the past, but about his statistics, which have been published today. Does he realise that real patients lie behind each of those statistics? The statistics show that the vast majority of patients are waiting longer for treatment now than they were in 1999. When will he face up to that fact and, more important, do something about it?

**The First Minister:** That is completely untrue. More than 50 per cent of the people who are seen by the NHS are treated immediately—they do not wait at all. About 70 per cent of people are treated within three months. The people who used to wait for more than 12 months to receive in-patient treatment no longer have to wait that long; those who used to wait for more than nine months to receive in-patient treatment no longer have to wait that long; and the number of people who wait for more than six months between their initial appointment and their operation or other in-patient activity is coming down at a dramatic rate. It is right that that is our priority.

I ask patients right across Scotland: who has their interests at heart? Is it those of us who are prepared to ensure that they receive treatment regardless of the source from which it comes or is it the Scottish National Party, which would deny them treatment from the independent sector, purely for ideological reasons?

### **Cabinet (Meetings)**

**2. David McLetchie (Edinburgh Pentlands)**  
**(Con):** To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-1464)

**The First Minister (Mr Jack McConnell):** I expect that at the next meeting of our Cabinet we will discuss in particular policies that will improve opportunities for Scotland's children and young people.

**David McLetchie:** The First Minister will forgive me for thinking that the Cabinet might also discuss the situation in the health service. It might care to

reflect on the comparison between the situation in Scotland and the situation south of the border. The Executive's own figures show that, per head of population, spending on health in Scotland is some 14 per cent higher than it is in the United Kingdom as a whole. Will he please explain why it is that the number of people on waiting lists has gone up by 23,550—which represents an increase of some 26 per cent—since 1999, when the number of people on waiting lists in England has fallen by 20 per cent over the same period?

**The First Minister:** That is partly because the two sets of waiting lists are not comparable. It is also the case that we have made a conscious decision to ensure that what is important in our NHS is what is important to the patient, which is not whether they are on a waiting list, but for how long they are on it. That is why the waiting times in our NHS are our top priority and why we in Scotland, rather than our colleagues south of the border, were the first in the UK to offer guarantees about the maximum waiting times for in-patient activity. That is why patient waiting times in Scotland are still lower than they are not just in England, but elsewhere in the UK. Waiting times will remain our priority until we drive them down, not just for in-patient treatment, but for out-patient treatment and for consultations.

**David McLetchie:** That is all very well, except that the facts show that the waiting times to which the First Minister refers have lengthened considerably. In 1997, the median wait—of which the First Minister is fond—for out-patient treatment was 34 days; in December 2004, it was 56 days, which is a substantial increase by any standard. The Conservatives have never said that no improvements have taken place in our health service in the past five years—significant improvements have been made and I give fair credit for them.

However, as my first question clearly demonstrates, the health service down south is improving far faster than the health service up here is. The improvements down south have come about as a result of reforms that were designed to increase capacity by extending the use of the independent sector. Accordingly, will the First Minister say when we will see the introduction of independently run diagnostic and treatment centres, which have played a major role in reducing waiting times and lists in England, as I am sure he would acknowledge? How extensive will the programme be in Scotland?

**The First Minister:** As Mr McLetchie will be aware, we announced before Christmas a significant increase in independent activity. Discussions are continuing on permanent contracts for that and other activity is taking place, for example, in Aberdeen in the past fortnight, if

what the Minister for Health and Community Care tells me is accurate—of course, I am absolutely certain that it is.

Comparisons must be made—of course the health service has improved in the past five years, because the years of underinvestment and neglect of our health service under the Conservatives had to be turned around. However, to use one of the phrases of the moment, it is also important that we move forward, not back, in relation to our national health service. We will continue to ensure that our national health service is free at the point of need in Scotland; that the longest waiting times come down; and that we use capacity for our health service, wherever it may come from. However, we will not use Mr McLetchie's solution, which is to ensure that those who can already afford to pay have a subsidy and to take money and capacity out of the health service. That would be the wrong direction for our national health service. We will ensure that the same level of health care is available for all, including those who need it most, not just those who can pay for it most readily.

**David McLetchie:** Our proposal would take us in exactly the right direction, because only by expanding capacity will we have an independent sector that can treat national health service patients. That is what our proposal is all about. The half-hearted measures—they can be called only that—that the Minister for Health and Community Care and the First Minister announced are a classic case of too little, too late and are representative of a Scottish Executive that had its head in the sand for five years and got the whole issue fundamentally wrong.

If the First Minister accepts that we have a major problem in Scotland—as he must when he sees the statistics today—why are he and his Executive not prepared to be much bolder in their approach, to champion the interests of patients and to take on the vested interests and political prejudices that hold us back?

**The First Minister:** Many of us are suspicious of the strong support among Conservative members for the subsidies that Mr McLetchie wants to give to the private health care sector instead of for using the money inside the national health service to improve capacity there as well as in the independent sector, so that we ensure that we deliver through the health service, not through subsidising those who can already afford to pay, which is the Tory solution, as reaffirmed last week by Mr McLetchie and his colleagues.

Mr McLetchie's assertions about today's statistics are simply wrong and I am certain that they are motivated by political prejudice. For example, the statistics show that the number of people who are on a waiting list for an out-patient appointment in Scotland is down by 9 per cent,

which is long overdue. The number of people who are on a waiting list for a first out-patient appointment and who waited more than 26 weeks is down 15 per cent on the previous quarter. The results are similar in a range of other areas, particularly in relation to people who suffer from the killer diseases in Scotland, including those who require heart treatment. Waiting times for those people continue to come down, quarter after quarter. That is right because we have chosen the right priorities: the longest waits; the killer diseases; and now out-patients, too. It is by concentrating on the key priorities that we will improve the whole of the health service in Scotland.

**Margo MacDonald (Lothians) (Ind):** Is the First Minister content to accept the findings of the civil service commissioner in relation to the conduct of senior civil servants working on the Holyrood project in the light of the information contained in the report—which is now public—that was commissioned from Gardiner & Theobald by the Auditor General for Scotland? The report states unequivocally that

“guidelines, rules and procedures set by the Scottish Executive, the Treasury and the European Commission have been blatantly”

“broken” and “ignored”.

**The First Minister:** The report by the civil service commissioner was not a report for me; it was a report for the permanent secretary and was commissioned by him as the head of the home civil service in Scotland. The permanent secretary will take whatever decisions he requires to take, not only in the light of that report but to ensure that we have a modern, efficient civil service in Scotland.

#### **Make Poverty History Demonstration**

**3. Colin Fox (Lothians) (SSP):** To ask the First Minister whether he will attend the make poverty history demonstration prior to the G8 summit. (S2F-1478)

**The First Minister (Mr Jack McConnell):** As First Minister of this devolved Government, I would not normally intervene in matters reserved to the United Kingdom Government, just as I would not expect it to intervene in devolved affairs.

However, the G8 summit coming to Scotland is a unique event and a unique opportunity, and I am publicly supporting the make poverty history campaign. The people of Scotland want us to speak clearly with one voice to the leaders of the G8 and to ensure that they act not just on climate change but on poverty in Africa. My attendance at events in the week before the summit will need to be decided nearer the time.

**Colin Fox:** I look forward to seeing the Prime Minister on the demonstration. I will be there, marching alongside the socialists.

Does the First Minister agree with the make poverty history campaign, which contests that the major cause of world poverty is

“the glaringly unjust global trade system”,

or what we socialists know as capitalism? Will he acknowledge that the gap between the rich and poor has never been wider and that 30,000 children die each day from preventable diseases—a figure that throughout history has never been higher? If he accepts those facts, will he also accept that that barbarity is the direct consequence of the policies promoted by the very people who will be wining and dining at Gleneagles in July?

**The First Minister:** I certainly support fairer trade. I continue to give my full support to that campaign. I do not believe that the Scottish Socialist Party or planned economies around the world have the right solution, but I welcome at least the SSP’s in-principle support for the make poverty history in Africa campaign. We have got a job to do over the next few months, not just to influence the G8 leaders but to raise awareness in Scotland. I intend tomorrow to launch a competition for Scottish schoolchildren that will ensure that they are involved in this work. I hope that one of them—or at least a group of them—will win a very special prize indeed.

**Colin Fox:** I remind the First Minister that the make poverty history campaign believes that the G8 is responsible for the fact that more people around the world live in abject poverty now than at any time in history. Perhaps he can tell us who he believes is responsible, if not the G8. Unlike that other killer, the tsunami, poverty is no natural disaster. The G8 has been promising to eradicate poverty for more than 30 years. Whose side is the First Minister on? Is he on the side of the billions who suffer the misery and despair of poverty, or is he on the side of the elite who enjoy riches and luxury beyond the wildest dreams of the mass of humanity? Is he a champion of the poor or an accomplice of the rich?

**The First Minister:** I congratulate Colin Fox on his election to replace Tommy Sheridan as leader of the Scottish Socialist Party, not least because he clearly does not have Mr Sheridan’s ability to change his supplementary questions when he hears my first answer. He will have to do an awful lot better than that. I said in answer to his first question that I fully support the make poverty history campaign. Its three objectives are crystal clear and they are right for our time. They deserve and demand our support, and they have mine. They have the full support of every Labour and

Liberal Democrat MSP in the partnership parties and we intend to ensure that Scotland’s voice is heard, but heard peacefully, in advance of the G8 summit.

**Des McNulty (Clydebank and Milngavie) (Lab):** I was delighted to hear what the First Minister said about involving young people and increasing their awareness of international development issues. Can he give us any more information about that? What steps is the Executive taking to involve the range of international development organisations in highlighting the needs of the developing world?

**The First Minister:** Members will be aware that the primary responsibility for external relations matters in the Executive lies with Mr McCabe, but that in the autumn last year we agreed, as part of the new ministerial responsibilities, to give Ms Ferguson a specific responsibility for dealing with international development issues. In that role, she has been liaising closely with a wide range of non-governmental organisations and other bodies, not just to support Scotland’s efforts in relation to the tsunami disaster but on other areas of activity.

Tomorrow, at Holmlea Primary School in Glasgow, I intend to launch a nationwide competition—which will, I am glad to say, be supported by the Hunter Foundation—in which all young Scots in Scotland’s secondary schools can take part. I hope that the special prize that the winners will receive will generate a lot of interest. In that way, we will get young people in Scotland interested in what is happening around the world. I hope that those young people, who are, of course, the future of our country and the rest of the world, will have an even stronger commitment than our generation has to aid and development in Africa and elsewhere.

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** The First Minister recently voiced a strong message of protest against George Bush over his inaction on climate change. I say to the First Minister that people throughout Scotland, the United Kingdom and Europe agree with him on the matter and want to protest at the G8 summit in Perthshire in July. Will he support the establishment of a safe location for the protesters who come to Perthshire, instead of allowing a free-for-all whereby thousands of people will arrive in the area with nowhere to go?

**The First Minister:** I am not personally involved in the detailed discussions, obviously, but it is my understanding that discussions are taking place, and that further discussions will take place, between those who are organising demonstrations, the security forces and Scotland’s police forces. I believe that it is vitally important that the voices of Scots and others from around the world are heard at the G8 summit, but that

they are heard peacefully and reasonably. I hope that people will have that opportunity, not just in Perthshire but in Edinburgh. It is important for us to prepare for all eventualities, but it is also important that we encourage peaceful protest and the expression of important views at that time.

#### NHS 24

**4. Dr Elaine Murray (Dumfries) (Lab):** To ask the First Minister what action the Scottish Executive will take to improve staffing levels in NHS 24. (S2F-1469)

**The First Minister (Mr Jack McConnell):** It is the responsibility of NHS 24 to recruit and deploy the right staff and ensure that members of the public receive a good service. NHS 24 is now an important part of our national health service. We should recognise the real progress that it has made and the high-quality service that has been enjoyed by the majority of people who have used it. We want the service to be enjoyed more consistently by an even larger majority. It is important to take stock and therefore the Minister for Health and Community Care will confirm this afternoon that an independent review group has been established to identify performance improvements that should be implemented by NHS 24.

**Dr Murray:** I thank the First Minister for his reply and for his advice about the review group.

Only last week, I was advised that a parent who was worried that their young child might have meningitis had to wait several hours for a return call from NHS 24. I am sure that the First Minister will agree that that is quite unacceptable. Will the review group consider what steps can be taken to recruit nurses who are not currently employed in the NHS so that the staff shortage problem does not just shift from NHS 24 to the NHS? Will it also consider the recruitment of other specialists, such as psychiatric specialists? When I visited NHS 24 last summer, I was advised that about a quarter of calls relate to mental health problems rather than physical health problems and that those calls are time consuming.

**The First Minister:** I think that there are two issues there. First, it is important that individual complaints are addressed and properly followed through. Any complaints that have been raised with the Minister for Health and Community Care or with me in recent months have had such attention. I know that complaints are also taken seriously and treated properly by NHS 24 managers.

Secondly, the review group will address the issues that seem to arise in rural Scotland. Its remit, which will be published this afternoon, covers not only the responsiveness of NHS 24 and

the linkages with other NHS partners, but services for callers from remote and rural areas, where the potential for problems will always exist, given the restricted access to a wide range of health care providers and staff.

It is important to ensure that the right staff are in place. I understand that recent figures have shown that NHS 24 recruitment is bringing people back into the service rather than transferring them out of it, and we want that trend to continue. That will be part of the review group's remit.

NHS 24 is a very important service, but it must deliver higher-quality performance more consistently than in the past. I am sure that all its staff are committed to that. The review group will help them to achieve that.

#### Care Homes (Top-up Fees)

**5. Shona Robison (Dundee East) (SNP):** To ask the First Minister why top-up fees are being charged in care homes. (S2F-1480)

**The First Minister (Mr Jack McConnell):** Three years ago, we set out the circumstances in which additional fees can be charged to residents who choose a more expensive care home place. If others are being asked to top up fees for standard care home services, that is wholly unacceptable.

**Shona Robison:** I welcome the inquiry into top-up fees in care homes that the Deputy Minister for Health and Community Care announced, but does the First Minister think that we also need an inquiry into the reasons for top-up fees and the increasing financial pressures on care homes? Is he aware that the Church of Scotland has just increased its charge for residential care by £106 per week to try to cover the increasing costs of care? Does he agree that until the long-running dispute over funding levels between the care home sector and the Executive is resolved, older people will continue to be caught in the middle and will end up paying the price?

**The First Minister:** Before the SNP decides that it wants to throw more money at anybody who asks for it, I remind the chamber that the review group that established the cost of care homes and the fees that should be paid included representatives of the private care home sector, who took part in the decision making that led to the fees that were established. The Scottish Executive has fully funded those fee levels.

If the SNP ever wants to form an administration at any level anywhere, it must learn not just to say yes when anybody comes along to ask for more money. A process of negotiation and agreement needs to take place. About six or eight weeks ago, Ms Sturgeon proposed in the chamber a cut of about £400 million from council budgets by freezing the council tax. Cutting budgets does not

make extra money available for care homes. The SNP cannot have it both ways. It cannot cut taxes and make more money available for care homes. What is needed is a proper, balanced budget in which the numbers add up and the sums can be delivered. That is what we have in Scotland today.

### Local Authority Boundaries

**6. Mr Brian Monteith (Mid Scotland and Fife) (Con):** To ask the First Minister what plans the Scottish Executive has to redraw local authority boundaries. (S2F-1460)

**The First Minister (Mr Jack McConnell):** The Scottish ministers have no plans to redraw local government boundaries. However, should local agencies bring a problem to the Executive that cannot be resolved through local discussion, we will of course consider the options that are available to us.

**Mr Monteith:** I am pleased to hear that the First Minister will consider options. Given that Edinburgh residents this week halted congestion charging through a referendum, does the First Minister agree that local residents should also be able to halt through a referendum a move of their area into a neighbouring council area?

**The First Minister:** I certainly do not remember the Conservatives in Scotland giving anybody any choice over local government reorganisation through referenda or anything else back in 1995 when they tried to gerrymander Scottish local government and forced through boundaries around the country. That attempt was seen for what it was: in the Scottish local government elections in 1995, the Conservatives had their worst result, because people knew what was going on, saw what was happening and ensured that they were ejected as a result.

**Iain Smith (North East Fife) (LD):** Does the First Minister agree that it is absolutely vital that, if any boundary changes to local government areas are considered in the future, that should come about as a result of proper consultation with local communities? As he rightly said, such consultation was not carried out by the Conservatives when they were in Government.

**The First Minister:** The approach that the member suggests is entirely sensible and I wholly endorse it.

12:30

*Meeting suspended until 14:00.*

14:01

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Education and Young People, Tourism, Culture and Sport

**The Deputy Presiding Officer (Murray Tosh):** Question 1 is withdrawn.

#### Sportscotland (Accreditation Schemes)

**2. Donald Gorrie (Central Scotland) (LD):** To ask the Scottish Executive what action it has taken with sportscotland to develop accreditation schemes and new deal programmes to increase the number of people trained as coaches and sports assistants. (S2O-5527)

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** Through sportscotland, the Executive is taking forward a number of initiatives that have the aim of increasing the number of people trained as coaches and sports assistants.

**Donald Gorrie:** The minister will be aware that a commitment to progress on that front forms part of the partnership agreement. I know that she fully understands the importance of coaches to the development of sports in Scotland. Would it be possible for the Executive to encourage young men or women who are involved in sport, either as professionals or serious participants, to take up training courses and accreditation through Scottish vocational qualifications and so on, so that they can begin to develop a career in coaching while they are still active sportspeople?

**Patricia Ferguson:** There are a number of routes into coaching. I am conscious that Donald Gorrie has a particular interest in the role of young sportspeople and in encouraging them to pursue a future career in their chosen sport or in a related sport. He is right to highlight the importance of such continued involvement.

Both he and I attended an event that I hosted at Edinburgh Castle last week, at which Sports Leaders UK was launched. The Executive and sportscotland already support that initiative and we hope to help to build on it. The contribution that was made last week by young people who are actively involved in that project bears testament to the idea that Donald Gorrie articulated.

It is important to note that my officials are in discussion with officials from Jobcentre Plus to consider how the new deal programme may assist in the provision of sports assistance, which is



another vital area. The governing bodies of individual sports have a role to play in that, but of course we will assist and support them in their work.

### Numeracy

**3. Stewart Stevenson (Banff and Buchan) (SNP):** To ask the Scottish Executive what efforts it is making to find more effective ways of increasing numeracy. (S2O-5531)

**The Minister for Education and Young People (Peter Peacock):** The Scottish Executive has put in place a range of initiatives to improve numeracy skills at all levels in our education system.

**Stewart Stevenson:** I am delighted to hear that and I am sure that all other members are, too.

Has the minister noted the Justice 1 Committee's report on offending, which shows that there is a huge correlation between innumeracy and illiteracy and a propensity to offend? Is he aware of the recently issued circular HE/04/05, which reveals that there is a shortfall of 440 maths teachers in secondary 1 and secondary 2? Will he make efforts at Executive level to promote exciting and engaging ways of encouraging numeracy? I advocate especially the work of Jakow Trachtenberg, my previous obsession with which the minister knows about.

**Peter Peacock:** I am aware of a number of Stewart Stevenson's previous obsessions. The first point that he made is serious. We know that many people who are in prison have struggled with literacy and numeracy from the outset of their education; indeed, the incidence of dyslexia in prison is noticeably higher than in the population as a whole, which is why we now spend a lot of time diagnosing such conditions much earlier and putting in place early intervention schemes and similar measures to try to support learning more effectively. If we can do that, it will save such people from being pushed to the margins of schools and, in turn, the margins of society.

On the point about maths teachers, I am encouraged by what we are achieving this year. We have achieved an 80 per cent increase in the number of maths teachers in training. That is purposeful; it is to try to hit our target not only to increase the overall number of teachers, but to reduce the size of maths classes in S1 and S2 in particular in order to ensure that we consolidate the benefits of learning in the early years.

I agree absolutely on the need to make maths more exciting. Last week, I attended an in-service day in Kelso for 80 primary school teachers in the Borders who were being taught new techniques to make maths more engaging for young people, especially boys, so that they can get more out of it, remain committed to their learning and therefore improve generally.

I am extremely encouraged that the Scottish National Party is showing signs of being interested in improving numeracy. That is not something on which the SNP has been strong in the past. I commend that change to the SNP finance spokesman, Alasdair Morgan, who is sitting next to Stewart Stevenson. I hope that it will help the SNP to balance its budgets in future.

### Breakfast Clubs

**4. Ms Rosemary Byrne (South of Scotland) (SSP):** To ask the Scottish Executive what progress it is making in extending breakfast clubs to all schools. (S2O-5454)

**The Deputy Minister for Education and Young People (Euan Robson):** The Executive continues to provide support to breakfast clubs, mainly through child care strategy funding to local authorities. There has been an increase in the number of clubs in recent months.

**Ms Byrne:** I am pleased to hear that there has been an increase in breakfast clubs. I am sure that the minister will agree that the provision of a healthy breakfast is beneficial to children's health and that research has shown that breakfast clubs are showing benefits to behaviour and performance in class. Does the minister agree that all Scotland's children would benefit from access to breakfast clubs, that the current piecemeal approach to provision is unequal and that it further disadvantages many children and young people who are already disadvantaged? Does he also agree that it is wholly unfair that head teachers should have to set up breakfast clubs on budgets that are so small that they cannot afford to use direct catering services but must instead rely on donations and volunteers? We are creating an unequal system.

**The Deputy Presiding Officer:** I will not allow speeches; you have asked your questions.

**Euan Robson:** Yes, a good breakfast is helpful to the school day. I was in Eyemouth recently, serving a farmers breakfast to the children in the primary school there. It is interesting that kids like a healthy breakfast—in Eyemouth, they liked the fruit and the cereal that were available—and it is important to encourage them to adopt healthy lifestyles and healthy eating in future.

The child care strategy money will increase from £30 million this financial year to £43 million in the next financial year, which will allow local authorities to extend provision of breakfast clubs where they wish to do so. I note the progress that Glasgow City Council is making in that regard, which is the result of a decision that Greater Glasgow NHS Board and the local education authority took. That is an important way in which breakfast clubs can be extended.

A healthy breakfast at the start of the day is good, and I am encouraged by the fact that breakfast clubs are spreading in Scotland.

**The Deputy Presiding Officer:** Sarah Boyack is not with us to ask question 5.

#### **Scottish Screen (Local Film Offices)**

**6. Mr Adam Ingram (South of Scotland) (SNP):** To ask the Scottish Executive whether additional funding will be provided to Scottish Screen to support its network of local film offices. (S2O-5538)

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** It is worth my while to point out at the beginning of my answer that Scottish Screen does not have responsibility for the operation of local film offices, which act as independent partners in the Scottish locations network. The extent of any support that Scottish Screen might offer those partners is for it to determine.

**Mr Ingram:** Is the minister aware that Ayrshire will lose its dedicated film officer at the end of March for want of support from each of the three local councils in the area? The loss of professional expertise will undoubtedly mean that Ayrshire's share of the £25 million that film companies spend annually in Scotland will reduce, as will the knock-on benefits from film tourism. Is not it time for a rationalised film office network to be core funded nationally, so that the full potential of Scotland as a film location can be realised?

**Patricia Ferguson:** Mr Ingram is correct to highlight the important work that film offices do, in particular that of the office that is based in Ayrshire, which has accrued a number of important commissions over the years. I understand that, following an evaluation of Ayrshire Film Focus, Scottish Enterprise Ayrshire has confirmed that it has approved three-year funding to support the Ayrshire Chamber of Commerce and Industry—which is currently involved in the original Ayrshire Film Focus delivery—in delivering a film information service over the next three years.

**Irene Oldfather (Cunninghame South) (Lab):** I very much welcome the minister's comments on establishing a film information office within the Ayrshire Chamber of Commerce and Industry. Does she agree, however, that it takes time for projects to establish contacts and networks? Can she assure Parliament that the new film information service will build on previous networks of contacts with key organisations to ensure a smooth transition to the new service?

**Patricia Ferguson:** I obviously cannot speak on behalf of the new operation or that chamber of commerce, but the fact that the new office, like the

previous one, will be rooted in the chamber of commerce indicates to me that it would make perfect sense for the same infrastructure, the same contact networks and the same linkages and databases to be used to carry out what is a very important job for Ayrshire.

**Phil Gallie (South of Scotland) (Con):** I welcome the minister's comments with respect to the Ayrshire Chamber of Commerce and Industry and Scottish Enterprise Ayrshire. Does she believe that, where it is shown that investment produces positive results far in excess of that investment, there is a duty on local authorities through their economic development roles to provide funding and support?

**Patricia Ferguson:** It is—of course—for local authorities and local enterprise networks to decide on their priorities. Scottish Enterprise Ayrshire has funded the operation there for a number of years, and at least two of the three Ayrshire local authorities have made a contribution to its costs. It is not for me, however, to direct them in how they might wish to use the pot of money that is available.

#### **Schools (Spending)**

**7. Bristow Muldoon (Livingston) (Lab):** To ask the Scottish Executive how spending outlined in "Expenditure on School Education in Scotland, 2005" is benefiting children. (S2O-5483)

**The Minister for Education and Young People (Peter Peacock):** That spending illustrates our continuing commitment, along with our local authority partners, to investing in giving our young people the very best opportunities to realise their potential.

**Bristow Muldoon:** The minister will be aware that the additional resources have been used positively in West Lothian in recruiting more teachers to schools and, crucially, in raising attainment levels among young people, particularly at standard grade and higher grade. Is he aware of the challenges that are faced by West Lothian, which is one of the few areas in Scotland that is likely to have a dramatically increasing population, both generally and at school age? Can he assure me that he will work with West Lothian Council to ensure that it has sufficient resources to allow quality to increase as capacity expands?

**Peter Peacock:** Bristow Muldoon is right to make a link with the Executive's record spending, which will rise by another 34 per cent between 2004-05 and 2007-08. That is record investment in schools by the Executive not just in terms of revenue, teachers and support staff, but in the huge capital investment programmes that are now available for building new schools. West Lothian is notable for what it has done in that regard. Indeed,

I recently visited a primary school in the West Lothian constituency that neighbours that of Bristow Muldoon, where I saw the benefits of that capital investment.

The solution is not about putting money in for the sake of it. It is about buying improvements such as having better pupil to teacher ratios than ever, smaller class sizes, modern learning environments and more support staff. As Bristow Muldoon rightly said, that is delivering higher attendance rates and higher attainment rates throughout the school system. Real benefits are being delivered.

Most of Scotland's population is set to decline significantly, but that of West Lothian will decline much less than most local authority areas' populations. In some parts of the area, the population is growing significantly in the short term. The member can be assured that we will keep open our dialogue with local authorities on that. The underlying way in which we distribute cash to local authorities for schools reflects the number of pupils in the system. The growth in population will be reflected in distribution of cash to councils.

### Schools

**8. Karen Whitefield (Airdrie and Shotts) (Lab):** To ask the Scottish Executive how many schools have been built or refurbished since the outset of devolution. (S2O-5473)

**The Minister for Education and Young People (Peter Peacock):** Local authorities have progressed more than 400 capital projects involving investment of over £250,000 in a primary school and £500,000 in a secondary school, and they have built 99 new schools.

**Karen Whitefield:** I am grateful for the minister's comments and certainly welcome the 17 new schools that are to be built in North Lanarkshire, especially as seven of them are in my constituency.

The minister may be aware that Alexandra Primary School in Airdrie received an excellent inspection report by Her Majesty's Inspectorate of Education. However, the report also highlighted the unsatisfactory condition of the buildings. I would be interested to learn what consideration is being given to future rounds of public-private partnerships, which might offer some hope to parents, teachers and pupils at Alexandra Primary School.

**Peter Peacock:** Over the years, Karen Whitefield has frequently raised matters relating to schools in her constituency. Indeed, earlier this week, we met North Lanarkshire's director of education to discuss such issues. I acknowledge that parents feel that Alexandra Primary School is

under pressure. The school is very good—the HMIE report showed that—but it wants to move forward so that it has better physical characteristics in the future.

North Lanarkshire Council is one of the most ambitious councils in respect of its capital investment plans. I think that I am correct in saying that it will invest just short of £200 million in new schools over the next few years not only through our PPP programme, but through the council devoting its own resources and using its freedom to make such investments.

We are gathering together the estate management plans from all local authorities to help us to gauge the true picture of the outstanding work that will be required in the future, while still investing in our PPP programme in the short term. We will consider future rounds of funding in years to come in that context.

**Jackie Baillie (Dumbarton) (Lab):** The minister will be aware of my concerns about Argyll and Bute Council's decision to reduce the scope of its programme to replace schools. In particular, I am concerned that the council is not tackling schools that are most in need of refurbishment. I illustrate that point briefly by referring to Arrochar Primary School, the fabric of which is in serious disrepair; indeed, it is considered to be the worst in the area. Will the minister therefore confirm that his priority is for the worst schools to be dealt with first, which is the purpose for which £80 million was allocated to Argyll and Bute Council?

**Peter Peacock:** Jackie Baillie has also been assiduous in raising such matters with me both in the recent past and before then. As she knows, the ultimate decisions on such matters are taken at local level. Local authorities must take decisions and stand accountable for them at local level. That is the essence of local democracy. However, she is right to point out that the purpose of our finance is to deal first with the worst cases.

**Stewart Stevenson (Banff and Buchan) (SNP):** New schools are always welcome, but I wonder whether the minister shares my concern about the ambiguity as to where the risk in ownership of schools lies. Almost all PPP and private finance initiative projects lead to the asset concerned being shown as off balance sheet by the PFI company, but also as off balance sheet for the Executive. Is that a sensible way to deliver new assets for public services?

**Peter Peacock:** It is clear that that is sensible. In the recent past, we have made progress in matters on which no one else has ever envisaged progress being made in Scotland. There is now a situation that the Scottish National Party consistently opposes—the building of 200, rising to 300, new schools in Scotland. The SNP would

veto the public-private partnerships that we are helping to finance, which are giving rise to more than £2 billion-worth of investment in new schools in Scotland. The SNP could never aspire to that. In fact, the SNP knows full well that an independent Scotland would struggle to do what we are doing. That is exactly why people in Scotland continue to refuse to vote for the SNP.

**Robert Brown (Glasgow) (LD):** On new and refurbished schools, I wonder to what extent the Executive insists on there being some flexibility in provision that is made, whatever the method of construction. I am thinking about, for example, smaller class sizes and new facilities. Sometimes the tightness of accommodation is a bit of an inhibition on the ability to solve Executive and local council problems in that connection.

**Peter Peacock:** Robert Brown raises an important point. Over the next few years, we will have an unprecedented opportunity—of which the SNP would seek to deprive Scotland—to make the most modern provision of schools almost anywhere in Europe. Such an opportunity does not come around very often, which is why the design of schools is crucial. In that context, the Executive has issued design guidance and has encouraged people who are designing modern schools to come together to learn lessons from each other and to consider the implications of the new curriculum in order to create in our schools flexible spaces that can adapt to change during the coming period. As those projects progress, that will be reflected more and more in the design of our schools in the future.

### Schools (Science Equipment)

**9. Dr Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive how it ensures that modern science equipment is provided for schools. (S2O-5481)

**The Deputy Minister for Education and Young People (Euan Robson):** The detailed arrangements for supply and management of science equipment in schools are a matter for individual schools and their education authorities. However, the Scottish Executive has made resources available in line with its science strategy in the past two financial years and for the next financial year.

**Dr Murray:** Does the minister share my concern over the decline in popularity of some subjects in schools and, in particular, in universities? Does he agree that pupils are motivated through being able to engage in interesting and relevant experiments and that provision of opportunities to undertake experiments—not just to see other people conducting experiments—is essential in attracting school students to the study of science?

**Euan Robson:** Elaine Murray takes a great interest in the subject and I agree with what she says. There are several important initiatives to boost science in schools; for example, the Scottish space school, small grants for science and the science centres that the Executive will set up. I was recently pleased to announce that the Scottish Schools Equipment Research Centre has been funded to the tune of £330,000 to develop a number of the themes that Elaine Murray has mentioned.

## Finance and Public Services and Communities

### Social Rented Housing

**1. Linda Fabiani (Central Scotland) (SNP):** To ask the Scottish Executive what steps it is taking to increase the supply of social rented housing. (S2O-5467)

**The Minister for Communities (Malcolm Chisholm):** Following the spending review, we announced our three-year plans for the investment of £1.2 billion in affordable homes to rent or buy. We have raised our three-year target for the supply of affordable homes from 18,000 to 21,500, of which more than 16,500 homes will be provided for social rent.

**Linda Fabiani:** I was interested to read the letter in *The Herald* from the Deputy Minister for Environment and Rural Development, who said:

“a significant element of demolition and rebuild on sites which are already served with infrastructure”

would

“not need new strategic capacity.”

Can the minister confirm that he will not allow new-build developments on sites where houses previously stood to be delayed by Scottish Water?

**Malcolm Chisholm:** The implication of what Lewis Macdonald said is that, in our calculations, we estimated that 15,000 homes would require new infrastructure and that the others would not. He was obviously addressing the concerns that had been expressed by Homes for Scotland. I repeat that our target is not 15,000 new homes, as Homes for Scotland seems to be implying. About 24,000 new homes are being built every year—many more than in previous years—and we expect that level to continue. We believe that the money that we have invested directly in the registered social landlord sector and more widely in water services will allow that number of homes to be built.

**Pauline McNeill (Glasgow Kelvin) (Lab):** The minister will be aware of the review of social housing demand by Communities Scotland and Glasgow City Council, which projects that demand

throughout the city will drop over the next 11 years. Does the minister accept that in pressured areas, such as my constituency in the west end of Glasgow, the demand for social housing continues massively to outstrip supply and that more resources should be invested in maintaining our housing mix in such areas? Will the minister consider the possibility of developing in the forthcoming planning legislation quotas for a mix of tenure to ensure the right mix of housing in areas such as my constituency?

**Malcolm Chisholm:** We are keen to encourage a quota of affordable housing when wider housing developments take place, and we are already seeing significant use being made of that in places such as Edinburgh. We intend to produce a planning advice note that strengthens that policy. The issue might well be considered when planning legislation is introduced.

Obviously, as far as the overall need for housing is concerned, the general situation in Glasgow is different from that, for example, in Edinburgh. I certainly accept what Pauline McNeill said about her part of Glasgow, where there is a shortage of social rented housing. The option of considering parts of a city for an affordable housing quota could certainly be examined.

#### Local Government Funding Formula

**2. Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Executive whether it will review the formula for allocating funding to local government and other bodies in order to give greater weight to deprivation. (S20-5465)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** The Executive is more than happy to consider any representations from the Convention of Scottish Local Authorities or other bodies to review existing methodologies. We look forward to discussing those matters with COSLA over the coming year.

**Jackie Baillie:** I am sure that the minister will also welcome representations from back-bench MSPs; after all, he will be aware of the additional costs of tackling deprivation, which can clearly be identified in social work, education and health spending. Does he agree that, in order to deal with the depth and complexity of the problems, we need to ensure that adequate resources go to the front line? If so, will he consider allocating the £12 million in Treasury consequentials to the 10 most deprived local authorities in Scotland?

**Mr McCabe:** I say again that I am more than happy to discuss distribution matters with COSLA. I remind members that when I announced the local government settlement earlier this year I also announced redeterminations for the previous year of £169 million, which has considerably assisted local authorities.

In Scotland we must have a distribution methodology that truly addresses the needs of communities, irrespective of where they are. The current methodology has been in place for a considerable time. In meetings, I have made it clear to COSLA, back-bench MSPs and representatives of local councils that my mind is open to any suggestions that would allow allocations to be made that better reflect communities' needs.

**Richard Lochhead (North East Scotland) (SNP):** The minister will be aware of a long-standing complaint from Aberdeen City Council and Aberdeenshire Council, which are regularly at the bottom of the local government funding league. Does he accept that there are many indicators of need? Although deprivation is worth reviewing, the funding formula should be widely reviewed, not just one specific indicator.

**Mr McCabe:** I am sure that the areas that Mr Lochhead represents and to which he has referred have made their case to COSLA. I have no doubt that, when we meet to discuss these matters, the councils will reflect that point of view.

**Des McNulty (Clydebank and Milngavie) (Lab):** I am sure that the minister will want to congratulate West Dunbartonshire Council on its efforts to hold council tax levels down for a second year. However, he will also be aware that some local authority areas with the highest levels of deprivation—such as west Dunbartonshire, Dundee and Glasgow—also have the highest levels of council tax in Scotland. That is a direct product of the underweighting of deprivation and shifts in population. We do not need a system that penalises such authorities so heavily for population loss—

**The Deputy Presiding Officer:** Quickly, please.

**Des McNulty:** Indeed, the Barnett system does not—

**The Deputy Presiding Officer:** No, no. You are making a speech now, Mr McNulty. I think that we have got the question.

**Mr McCabe:** As I said, I am more than happy to enter such discussions with COSLA. I have received representations from West Dunbartonshire Council, Des McNulty and Jackie Baillie and I am aware of the problems that the council faces. I have to say that those problems have existed since the Conservatives foisted local government reorganisation on us in the mid-1990s and they remain in vogue. We are more than happy to discuss with the parties involved potential ways of rectifying such deficiencies.

**The Deputy Presiding Officer:** Question 3 is withdrawn.

### **Homelessness etc (Scotland) Act 2003 (Implementation)**

**4. Elaine Smith (Coatbridge and Chryston) (Lab):** To ask the Scottish Executive what assistance is being provided to local authorities to support the implementation of the Homelessness etc (Scotland) Act 2003. (S2O-5469)

**The Minister for Communities (Malcolm Chisholm):** Local authorities are assisted by the provision of specific funding to prevent and alleviate homelessness. Over the spending review period, that funding will amount to more than £150 million, £61.5 million of which will support the legislation's implementation.

**Elaine Smith:** The minister might recall that I have already raised with him the subject of housing allocations in North Lanarkshire. I understand that he recently discussed the matter with the council. Although I commend the Executive on its projected aims for homelessness legislation, will the minister tell me what action is being taken currently to address the immediate problem of protracted waiting times for allocations that are being affected by homelessness allocations and, as a consequence, the inevitable perception among my constituents that the only route to an allocation is through a declaration of homelessness, regardless of personal circumstances?

**Malcolm Chisholm:** I enjoyed a long discussion about that and other matters with North Lanarkshire Council recently. There will be another meeting with my officials because we are still waiting for some detailed information from the council.

According to the published figures for 2002-03, 18 per cent of allocations went to homeless people. The figure was 20 per cent in 2003-04. Both of those figures are below the Scottish average. I was told that the figures have increased considerably for this year; we want further discussion of that and the reasons for the increase with North Lanarkshire Council.

The target for the new rights to permanent accommodation for all categories should be achieved by 2012, so we have seven years in which incrementally to reach that particular objective, which has been widely admired not only in Scotland, but throughout Europe and further afield. We have time to meet the target even if particular issues have accelerated the situation in North Lanarkshire. We want to find the reasons and see what can be done to help.

### **Local Authority Housing Debt**

**5. Brian Adam (Aberdeen North) (SNP):** To ask the Scottish Executive how much local authority housing debt has been written off by

central Government since 1999 and which local authorities have benefited as a result. (S2O-5540)

**The Deputy Minister for Finance and Public Service Reform (Tavish Scott):** A total of £985 million of local authority housing debt has been repaid by central Government since 1999. That has arisen from the whole-stock transfers by Glasgow City Council, Dumfries and Galloway Council and Scottish Borders Council, and will help to generate nearly £2 billion of housing investment in those areas in the next 10 years.

**Brian Adam:** Will the minister please advise the chamber how, in the interest of equity, council tenants who have chosen not to go down the stock transfer route might also receive the benefit of housing stock debt write-off?

**Tavish Scott:** A number of stock transfer options are available to councils. I am sure that the Minister for Communities will be able to fill Mr Adam in on the precise details, but as far as I understand it, the range of options that are available to local authorities to meet the Scottish housing quality standard—an objective that all in the chamber would share—include a retention strategy, using the prudential regime that is available to all local authorities; whole-stock transfer; and a mixed retention and partial transfer strategy. Those options are currently being considered by the authority in Mr Adam's area and we look forward to the development of proposals.

**Mary Scanlon (Highlands and Islands) (Con):** How many councils are currently pursuing the housing stock transfer process? Is it the Scottish Executive's objective to transfer all council stock in Scotland on time?

**Tavish Scott:** I understand that seven authorities are currently considering either partial or complete stock transfer. If I have got that wrong, I will write to Mary Scanlon with clarification. I understand that the Minister for Communities will have further details to announce on the overall programme in due course.

### **Freedom of Information (Housing Associations)**

**6. Christine Grahame (South of Scotland) (SNP):** To ask the Scottish Executive whether it considers that housing associations, such as Scottish Borders Housing Association, should continue to be exempted from the Freedom of Information (Scotland) Act 2002 and what the reasons are for its position on the matter. (S2O-5551)

**The Minister for Parliamentary Business (Ms Margaret Curran):** The Executive will shortly issue a consultation paper on the criteria for bringing other bodies within the scope of the Freedom of Information (Scotland) Act 2002. It

would not be appropriate for me to prejudge the outcome of the consultation by commenting now on the specific position of housing associations.

**Christine Grahame:** I received a letter from the minister's department saying that the consultation document is being prepared. Will the minister advise how she is evaluating the running costs of large housing associations and whether they are truly improving the overall conditions for residents? Does she agree that if a large housing association such as the SBHA were to run into financial difficulties in the next 12 months or so, that would be a matter of public interest for Borders residents?

**Ms Curran:** A number of those questions probably relate more directly to my colleague, the Minister for Communities, and I am sure that he will deal with them appropriately. I am answering the member's question because it relates to freedom of information.

It is in the Executive's interest to ensure that proper information about all public bodies in Scotland is available to people, according to freedom of information legislation. I assure members that Communities Scotland regulates housing associations to ensure that they deliver information and—if I may speak on behalf of my colleague, the Minister for Communities—housing services to their tenants.

### Refugees

**7. Mr Kenny MacAskill (Lothians) (SNP):** To ask the Scottish Executive what action it is taking to address the needs of refugees. (S2O-5459)

**The Minister for Communities (Malcolm Chisholm):** The Executive is implementing the Scottish refugee integration forum action plan, which is aimed at improving integration. A progress report will be published in the spring. Since 2001, more than £9 million of additional funding has been allocated to a range of projects aimed at assisting refugees to integrate.

**Mr MacAskill:** The minister will be aware that dignity at work is one need that refugees have. Given the severe skills shortages that many areas of our country face, when will the minister seek to allow refugees proper participation in the workforce to enable them to secure their own personal, and our social and economic, development?

**Malcolm Chisholm:** I know that many refugees already contribute to Scotland's economy and I welcome that fact. That is one reason why we have a positive attitude towards asylum seekers and refugees who come to Scotland. In the latest round of funding, the Scottish refugee integration forum action plan provided funding for many projects that help refugees, mainly in Glasgow.

The role that refugees play in many workplaces throughout Scotland was explicitly praised by the Federation of Small Businesses in the meeting that I had with the organisation's representatives this week. We shall certainly do everything that we can to encourage the wider integration of refugees, including by encouraging them to play a part in the workforce.

### Landfill Site (Greengairs)

**8. Alex Neil (Central Scotland) (SNP):** To ask the Scottish Executive when it expects to reach a final decision on the planning application from Eden Waste Recycling Ltd for a landfill site at Greengairs in Lanarkshire. (S2O-5478)

**The Deputy Minister for Communities (Johann Lamont):** The final decision is dependent on the satisfactory conclusion of a legal agreement between the applicant and North Lanarkshire Council. I understand that the council hopes to conclude the agreement in the near future. On receipt of the agreement, Scottish ministers will make every effort to issue an early decision.

**Alex Neil:** I draw the minister's attention to the unique position of Greengairs. There are already nine landfill and opencast sites in the surrounding area. The addition of another landfill site would totally fly in the face of the Scottish Executive's environmental and planning policies and would do further enormous damage to the environment and economy of that part of Lanarkshire.

**Johann Lamont:** As the member will be aware, Scottish ministers have already indicated that they will accept the report from the reporter, but we currently await the agreement between the local authority and the company to ensure that the conditions that are attached to the planning permission will be complied with. I think that Mr Neil knows that as well as I do.

The member will also be aware that the Scottish Executive is committed to addressing issues of environmental justice, which involves balancing the needs of local communities against the needs of the economy in any development or planning proposal. I look forward to a positive discussion in the Parliament on those issues, on which we will focus in the forthcoming planning bill.

**Karen Whitefield (Airdrie and Shotts) (Lab):** I am sure that the minister is aware of the despair that is felt by the residents of Greengairs and Wattston in my constituency. Does she agree, as I think she said she did recently, that it is vital that the forthcoming planning bill provide communities with protection from the excessive demands of developers and allow communities to have a proper say in the planning process?

**Johann Lamont:** As I have said, recognition must be given to the cumulative effect of such

developments, to the rights of communities and to the proper involvement of people in the planning process. The need to ensure that conditions are enforced once planning permission has been granted has also been a particular concern. Indeed, a recent meeting that I attended scoped out some of the issues around enforcement.

On the proposed development at Greengairs, people should reflect on the fact that the proposed conditions will require the applicant to seek to set up a liaison group involving representatives from the council, the Scottish Environment Protection Agency, the operating company, the organisations that comprise Greengairs joint action group and any other local resident whom the council approves. I recognise that such a planning condition is probably not the first position that Greengairs residents would have taken, but it will go some way towards ensuring proper monitoring and enforcement of the planning conditions, if and when agreement is finally concluded between the local authority and the company.

**The Deputy Presiding Officer:** Question 9 has been withdrawn.

#### Fuel Poverty

**10. Richard Baker (North East Scotland) (Lab):** To ask the Scottish Executive what progress is being made in reducing fuel poverty and delivering its central heating programme to older people. (S2O-5489)

**The Deputy Minister for Communities (Johann Lamont):** So far, the central heating programme has installed more than 46,000 central heating systems, the majority in older households. Recent research on the first year of the central heating programme showed that, of the people who were fuel poor, nearly nine out of 10 were lifted out of fuel poverty after the programme.

**Richard Baker:** That is excellent progress and the minister will be aware that, as well as being effective, the free central heating scheme has been hugely popular among older people. Is she aware of the small number of contractors in the scheme with whose standard of work there have been repeated problems? Is the performance of contractors subject to regular review to ensure that they meet the standard of work that we should be able to expect from them, so that each and every older person involved in the scheme can receive its full benefit?

**Johann Lamont:** It is clear that the programme has been a huge success and has made a huge difference, and we must not understate the significance of the programme in addressing fuel poverty and improving the infrastructure of people's homes. Far more homes now have central heating than had it in the past. I also

recognise that there are specific problems in specific places, and the individual experiences that members from all parties have raised will be reflected in any development programme in future. Some issues around the way in which the construction industry operates have also been highlighted, and we are committed to addressing those issues in relation to the central heating programme and elsewhere.

I assure Richard Baker and other members that the work of individual contractors is monitored. It is important that if there are specific issues in certain parts of the country, we know about that. Just because the programme is free to people at the point of receipt does not mean that people deserve a lower level of service. I would be concerned if any attitude in the industry suggested that that was the case.

## General Questions

### Violent Crime (Glasgow)

**1. Ms Sandra White (Glasgow) (SNP):** To ask the Scottish Executive what plans it has to reverse the trend in violent crime in Glasgow. (S2O-5545)

**The Deputy Minister for Justice (Hugh Henry):** The Scottish Executive attaches a high priority to tackling violence wherever it occurs. We have invested to deliver record numbers of front-line police officers and we are doubling the penalty for possession of a knife or offensive weapon, strengthening police powers of arrest and increasing the minimum age for purchasing a knife from 16 to 18. Also, to tackle violent incidents fuelled by alcohol, the forthcoming licensing bill will put in place a robust regime that will help to break the cycle of excessive drinking and crime.

**Ms White:** I thank the minister for his reply, particularly with regard to the front-line police. Will he explain why, despite all the initiatives that he has mentioned, violent crime, in particular knife crime, is on the increase in Glasgow? Does he not agree that it is about time that we stopped passing the buck between the Executive and the police and instead looked to have a proper strategy of front-line policing for every area, to ensure that there are more police on the beat to prevent crime, rather than their reacting to crime that has already been committed?

**Hugh Henry:** Sandra White mentioned more policing. Perhaps she did not hear me when I said that we have record numbers of police in Scotland. She also referred to the front-line strategy for policing. That is a matter for chief constables. Unless I misunderstand Sandra White, she is suggesting that the Parliament should take responsibility for dictating how police services should be delivered at local level. That is an



entirely different matter, which we shall certainly ponder if she wishes me to consider it, but it would be a fundamental difference from how we have always operated in the past.

There might well be issues around the figures that were recently reported. I do not know whether the final figures will turn out like that. Nevertheless, we are not, and should not be, complacent about knife crime. What we are doing is right: we are putting in record numbers of police; the Executive intends to give police additional powers of arrest—I hope that Sandra White and her party will support us in that—and we will tackle the issue of minimum sentences for carrying a knife or offensive weapon. I believe that we must also do more as a country and as a society to examine the culture that still makes it acceptable in some communities for young men to carry knives. That is something that requires more than legislation.

**Paul Martin (Glasgow Springburn) (Lab):** I accept that we should not allocate police resources, but we should be able to make representations on where police resources should be allocated. Does the minister find it unacceptable that two police officers have been allocated to the new Fort complex in Easterhouse and six police officers have been allocated to the Braehead shopping centre, while only one police officer serves the Blackhill and Ruchazie areas of Glasgow? Surely we should focus our police resources where they are most needed.

**Hugh Henry:** I repeat some of the comments that I made to Sandra White. I believe that it would be dangerous if ministers in the Parliament started to dictate to chief constables exactly where they should deploy police officers. I believe that it is right for local MSPs such as Paul Martin to make representations to the chief constable about how the record resources that have been given to Strathclyde police are being used. However, to suggest that ministers should be able to influence how such decisions are taken is a fundamental step away from that. That would change entirely the environment in which we deliver, operate, manage and account for police services in this country.

We have always attempted to keep politicians one step removed from operational decisions. Although local politicians are right to raise concerns, I am not convinced that it would be a step forward if ministers or other politicians stepped into those decisions.

### Gun Crime

**2. Mr Kenny MacAskill (Lothians) (SNP):** To ask the Scottish Executive what progress it is making in addressing gun crime. (S2O-5460)

**The Deputy Minister for Justice (Hugh Henry):** Steady progress is being made. Firearms offences have almost halved over the past 10 years and last year legislation introduced minimum sentences for the possession of a firearm and provisions for tackling air weapons and imitation weapons. However, we can never be complacent and we will continue to work closely with the United Kingdom Government on what more can be done.

**Mr MacAskill:** The minister will be aware that replica weapons are a significant difficulty and that they are all too readily available in many shops in our high streets and communities. Is it not time for the Parliament to take responsibility for firearms and to legislate to address the problems caused by real and replica weapons in our communities?

**Hugh Henry:** I refer Kenny MacAskill to the answer that my colleague, Cathy Jamieson, gave to his colleague, Stewart Maxwell, on 10 February. Perhaps Kenny MacAskill did not hear her state in relation to that proposition:

"I am perhaps sorry to disappoint Mr Maxwell by saying that I disagree."—[*Official Report*, 10 February; c 14517.]

She also drew Mr Maxwell's attention to provisions that were commenced in January 2004.

We believe that firearms offences are serious. The United Kingdom Government is operating on our behalf and in partnership with us. I believe that it is right to have a consistent approach on firearms throughout the United Kingdom. The UK Government has been responsive to anything that we have suggested and I look forward to future partnership with it on the matter.

**Phil Gallie (South of Scotland) (Con):** Does the minister recall that, at the time of the handgun ban, many law-abiding citizens lost their sporting interest? Can he now evaluate whether their loss has contributed to the fall-off in gun crime?

**Hugh Henry:** That is an entirely separate issue. I am not persuaded that we should revisit a very difficult but courageous step that was taken in the aftermath of Dunblane. I see no positive social advantages in trying to widen the potential for ownership of handguns. Generally in society, a broad welcome has been given to the measures that have been taken and there is recognition of why they had to be taken. Although I understand the point that Phil Gallie makes about some of the responsible owners who were affected in respect of their sport, I am not persuaded that there is evidence—or that it is worth our while to try to get evidence—that seeking to extend ownership of handguns would contribute to progress in this country. I doubt that it would.

### Speed Restrictions (Roadworks)

**3. Brian Adam (Aberdeen North) (SNP):** To ask the Scottish Executive whether speed restrictions associated with planned roadworks should be lifted during the times when work is not being carried out. (S2O-5541)

**The Minister for Transport (Nicol Stephen):** For safety reasons, it is necessary for temporary speed limits to continue as long as equipment and traffic management measures remain in place. All roads authorities, utility companies and contractors should ensure that works are efficiently managed to reduce inconvenience to road users.

**Brian Adam:** As the minister has travelled Scotland in his ministerial car in the evenings and at weekends, he will often have come across the situation that I describe. Constituents have drawn the situation to my attention. They are rather concerned that it seems to be possible to remove the cones and to suspend the roadworks activities, but not to suspend the speed limits. It seems that many people are being caught speeding.

**The Deputy Presiding Officer:** Is a question coming?

**Brian Adam:** Will the minister consider traffic orders to minimise the time that speed limits are in place, especially at weekends when work is not taking place?

**Nicol Stephen:** As I said in my original response, if equipment is still present and if traffic management measures such as cones and signs are still present, the speed limit remains in force for safety reasons. If Brian Adam can give me examples of cones, signs and equipment being removed but the speed limit remaining enforced, I will consider them to see whether the limit can be removed. However, all the advice that I have been given is based on safety considerations. The advice has come not only from contractors and local authorities but from the police, who of course are responsible for safety and the enforcement of speed limits.

### Environmental Crime (Prosecution)

**4. Nora Radcliffe (Gordon) (LD):** To ask the Scottish Executive what action it is taking to address any systemic problems in the prosecution of environmental crimes. (S2O-5516)

**The Solicitor General for Scotland (Mrs Elish Angiolini):** I do not believe that there are any systemic problems associated with the prosecution of environmental crimes. On the contrary, with the establishment of the networks of prosecutors who specialise in environmental and wildlife law, the department is enhancing its approach to dealing with such crimes.

**Nora Radcliffe:** I know that a lot of work is being done in this field, and I hope that the number of environmental prosecutions will increase to the level that we would expect—pro rata—given the level south of the border. The average level of fines for environmental crimes in Scotland last year was double that of the year before, at just over £5,000. However, the average level of fines for environmental crimes south of the border is nearly £9,000. Does the Solicitor General for Scotland regard that as a matter of concern? If so, how can it be addressed?

**The Solicitor General for Scotland:** The level of fines that the courts impose is entirely a matter for them. They must address that issue independently of the prosecution and, indeed, of the Executive. However, ensuring that sentencing is appropriate is obviously of interest, so the Executive is engaged with the Judicial Studies Committee in considering the relative levels of fines, to see whether the fines are in proportion to the offences. Of course, offences can vary substantially and it can sometimes be futile to compare the level of fines without also considering the nature of the offences in question.

### Community Renewables Initiatives

**5. George Lyon (Argyll and Bute) (LD):** To ask the Scottish Executive what support it is giving to community renewables initiatives. (S2O-5546)

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Mr Jim Wallace):** I recently announced the extension of our Scottish community and householder renewables initiative for a further three years, supported by a £6.6 million investment. I have also been able to allocate a further £400,000 to the initiative in the current financial year to meet the current high level of demand.

**George Lyon:** The Minister for Enterprise and Lifelong Learning will be aware of the success of the Gigha community in erecting its own wind farm, which will bring significant benefits to the community over the foreseeable future. The benefit will be £60,000 to £70,000 a year net, and the figure will rise to well over £100,000 a year once the capital has been paid off.

If that blueprint could be replicated throughout the Highlands and Islands of Scotland, it would bring financial self-sustainability to many communities. I wonder what actions we are taking to share that blueprint with other island and mainland communities in the Highlands.

**Mr Wallace:** I take the opportunity to congratulate the community on Gigha on their wind farm. The wind farm shows the community's go-ahead nature since it was able to arrange a community buy-out of the land.

We have the Scottish community and householder renewables initiative, which is substantially funded, and we have examples such as that of Gigha. I hope that other communities will see the opportunities and make applications to the fund.

I take the opportunity also to congratulate the community on the island of Burray in my constituency. A private company undertook the development there without any public funding. That example shows that, when communities get the bit between their teeth, some of the wind farm initiatives that mean that they can provide their own generation are achievable.

### Glasgow Subway

**6. Robert Brown (Glasgow) (LD):** To ask the Scottish Executive whether it supports modernising and extending the Glasgow subway. (S2O-5519)

**The Minister for Transport (Nicol Stephen):** Strathclyde Passenger Transport is responsible for the Glasgow subway. SPT has an on-going programme of maintenance, refurbishment and upgrading and is currently scoping the work that is required to carry out significant long-term improvements to the subway. The Executive very much supports investment in modern, reliable public transport.

**Robert Brown:** The minister will be aware of recent statements by Councillor Alistair Watson, the SPT chair, in support of the extension of the underground. The minister will also be aware of the dilemma that SPT faces because of high replacement costs due to the non-standard gauge of the track and the non-standard carriages on the subway. In view of the important contribution that the underground makes and of its potential to make a further contribution to controlling traffic congestion in Glasgow, is the minister prepared to give his support, in principle, to modernisation and extension of the underground? For example, will he commit Executive funding to a feasibility study on the subject?

**Nicol Stephen:** I have not been approached on the issue as yet. Alistair Watson has briefed me on the scope of the study that SPT anticipates and a considerable amount of work will need to be done to consider the long-term strategy for the subway. We want to see modern, 21<sup>st</sup> century public transport facilities right across Scotland. We are investing in trams for the city of Edinburgh and in rail improvements in various parts of Scotland, including the reinstatement of rail lines. I believe that part of the work that we will do in future will require the improvement, upgrading and modernisation of the Glasgow subway.

### Maternity Units (Inspections)

**7. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the Scottish Executive what accreditation points were achieved in inspections by the Royal College of Obstetricians and Gynaecologists of maternity units at St John's hospital, Simpson maternity unit and Borders general hospital. (S2O-5510)

**The Deputy Minister for Health and Community Care (Rhona Brankin):** Accreditation of such units by the Royal College of Obstetricians and Gynaecologists provides an objective mechanism for assessing hospitals to give a factual record of the training and educational opportunities that are provided. The score, out of a possible 50, represents only a small part of what is a very comprehensive assessment of an individual unit. St John's was inspected in June 2004 and achieved 30 points; the Simpson centre for reproductive health was visited in May 2003 and achieved 44 points; and the Borders general hospital was visited in November 2004 and achieved 41 points.

**Jeremy Purvis:** Does the minister agree on the excellence that is provided at the consultant-led maternity unit at Borders general hospital? Does she also agree that the services that are provided could be open to mothers and families from Midlothian and north Northumberland and that the services at BGH should be promoted as such?

On the recent visit that I made to the unit, when visiting a new mother and her beautiful eight-hour-old son—

**The Deputy Presiding Officer:** Quickly.

**Jeremy Purvis:** The mother came from Newtongrange in the minister's constituency. Does she agree that bringing mothers and families from other parts of Scotland to the BGH would seal the future—

**The Deputy Presiding Officer:** Come on, Mr Purvis. This is a speech. I call the minister.

**Rhona Brankin:** We welcome excellence where we see it. However, as the member knows, NHS Borders is working as a full partner with the south-east and Tayside regional planning group. The sub-group on maternity services will help to determine the regional strategic provision of services in future. Of course, the review has been influenced by the declining birth rate, the impact of European Union working time regulations and other workforce changes. As the member might know, an interim report of the sub-group's work is currently in development. In the meantime, the status quo will be maintained.

It is important to say that any changes in service delivery that arise from the review will be subject to full consultation with all stakeholders, including

the local population and the maternity services liaison committee. It is important that the review is being done regionally and that full consultation is being undertaken.

**Bristow Muldoon (Livingston) (Lab):** Is the minister aware that St John's hospital in Livingston is one of the few maternity hospitals where a rising birth rate is being recorded? It is likely that the birth rate will pass 3,000 births per year. Is the minister also aware that NHS Lothian recently advertised two new consultant obstetrician posts at St John's hospital in Livingston? Does she welcome that, and does she think that it underpins the unit's future?

**Rhona Brankin:** Yes, of course. It is welcome news for the sustainability of provision there.

## Standing Orders (Changes)

### **The Deputy Presiding Officer (Murray Tosh):**

The next item of business is a debate on motion S2M-2418, in the name of Iain Smith, on behalf of the Procedures Committee, on a final review of oral questions and minor rule changes.

15:00

**Iain Smith (North East Fife) (LD):** The motion that is before members invites the Parliament to note two recent reports by the Procedures Committee—one on oral questions and one on minor rule changes. The standing orders changes that we recommend are set out in annex A to each report. The proposed amendments in the minor rule changes report are consequential changes that arise from the committee's report on timescales and stages of bills, which was agreed by the Parliament on 11 November last year. Nothing more need be said about those proposals. Our report on the final review of oral questions is more substantial, therefore I shall concentrate my remarks this afternoon on it.

The Procedures Committee has published three reports on oral questions, on issues such as the duration and timing of First Minister's questions, and the timing and structure of questions to ministers. This final report—I assure the chamber that we mean "final"—aims to entrench some of the changes that were made on a trial basis as a result of the committee's previous work; it also contains some new recommendations.

Originally, we envisaged a short review at the end of last year but, in the event, the review took a little longer, mainly because it soon became clear that there was widespread feeling among back-bench members throughout the chamber that question time was not working as well as we had hoped it would when we recommended changes in our earlier reports. The committee's recommendations today relate to the timing and format of question time and to the selection of questions. Specifically, we propose a new way of selecting questions for question time, which we believe will help to ensure that questions are more relevant and topical. I will explain more about the new system in a moment.

My colleague Cathie Craigie, in summing up on behalf of the committee, will go into more detail on why we recommend no change to the timing of First Minister's questions, and why we propose to split general questions from themed questions, with general questions coming before First Minister's questions. All I will say at this point is that, in reaching that conclusion, the committee faced a difficult balancing job in addressing the many competing demands on the timing of

question time, not least of which was the demand to ensure that there was a reasonable balance between parliamentary time for debates and parliamentary time for questions.

In reviewing First Minister's questions, the committee reached the conclusion that there was no case for changing the present format. However, in reaching that conclusion, we were concerned that one of our primary aims behind extending First Minister's questions—to allow more time for questions and supplementaries from back benchers—was not, in reality, being achieved. First Minister's questions are for all MSPs, not just party leaders and Opposition MSPs, and we must ensure that the time that is available to question the First Minister is allocated in a way that gives all MSPs a fair opportunity to raise matters of concern with the First Minister. Instead, what we have seen is that the questions from party leaders—and, for that matter, the answers from the First Minister—are getting longer. Frequently, as much as half of First Minister's question time is taken up with the first two questions and, frequently, less than 10 minutes are available for the last three questions.

A further concern is the extent to which leaders' questions deal with matters that are not the responsibility of the First Minister, Scottish ministers or Scottish law officers. In the report, we draw Parliament's attention to that fact, and to the fact that according to standing orders, questions and supplementaries should be brief and should relate to matters for which the First Minister, Scottish ministers or Scottish law officers have general responsibility. We will support the Presiding Officer in ensuring that those rules are enforced fully.

Throughout the review of questions, members raised concerns about the uneven results that are produced by the present system for selecting questions to ministers. One of the issues that was raised most commonly by members was that their questions are rarely selected, and that when they are selected they are often so far down the list that they are unlikely to be called. We considered various ways of changing the current selection process for question time to increase the level of participation and to stimulate further interest in that key area of parliamentary business. We concluded that a form of random draw should be retained, because it offers the fairest and most transparent system of selection.

However, we propose moving to a system in which members' names rather than questions are selected. That system would have a number of advantages, the main one of which is that it would allow the selection of names to take place earlier, without the topicality of the questions being lost. We recommend that the draw of members' names

take place two weeks in advance, so that selection is linked to the fortnightly cycle by which the parliamentary business motion is agreed. That would give members more notice of who had been selected to ask a question and would, I hope, assist members who were selected with their diary planning. In addition, members would not—as I am sure we all do—spend time each week preparing questions that do not get selected.

We recommend that questions continue to be lodged about a week in advance of when they are due to be answered. That would give members who are selected in the draw a week to decide what to ask, thus allowing them time to consider more deeply what sort of questions they might wish to ask in their slot. It would also continue to give the Executive time to prepare its answers to the questions.

We considered the situation whereby members are allowed to be included in the draws for general questions and the two sets of themed questions. We concluded that we should allow members to be selected to ask a question in only one session each week, rather than in three as happens at present. Members would be able to enter all three draws, but once they had been selected in one of them, they would not be allowed to be selected in any of the others. Members would contact the chamber desk to enter the draw for general questions and themed questions. If they were drawn for general questions, the draw for which would be held first, they would not be included in the draws for the two sets of themed questions. If they were drawn for the first set of themed questions, they would not be available to be drawn for the second set.

We ruled out enabling members to register an on-going interest in a draw—such as always wanting to be included in the draw for education questions—because we thought that it might result in a problem whereby members would keep their name in the draw but then withdraw their question because they were not available to ask it. We want there to be a clear presumption that once members are selected they will turn up and ask their question, so that we do not have the number of withdrawn questions that we have had recently. In turn, that would help the Presiding Officer to fix the number of members selected as close as possible to the number of questions that can usually be taken, so that fewer members will suffer the frustration of having a question near the bottom of the list that they are not called to ask.

We make no recommendations about changing the themes of questions. We think that themed questions are working reasonably well, but the Parliamentary Bureau and the parliamentary business managers might want to consider at some point in the future whether they wish to

review the current themes for ministerial questions. We leave it to the bureau to consider that, perhaps around summer recess time.

We make a proposal to allow the Presiding Officer more flexibility to group questions at question time in order to achieve a better flow. The package that we suggest for oral questions will improve the effectiveness of that important element of parliamentary business. We acknowledge that there is a limit to what the Procedures Committee can do alone; it is up to members to make question time work and I hope that they will all do so.

I move,

That the Parliament (a) notes the Procedures Committee's 2nd Report, 2005 (Session 2), *Final Review of Oral Questions* (SP Paper 287) and agrees that the changes to standing orders set out in Annexe A to the report be made with effect from Friday 18 March 2005, but that the current Rules 13.6 and 13.7 continue to have effect for the purposes of any Question Time in the week beginning Monday 21 March 2005; and (b) notes the Committee's 1st Report, 2005 (Session 2), *Minor Rule-changes* (SP Paper 271) and agrees that the changes to standing orders set out in Annexe A to the report be made with effect from 18 March 2005.

15:08

**Mr Bruce McFee (West of Scotland) (SNP):**

This is not the first time that the Procedures Committee has advocated changes to question time and First Minister's question time. The decision was made to move First Minister's questions to 12 o'clock and extend it from 20 to 30 minutes and to extend oral questions, which are now themed, from 40 minutes to an hour. As someone who was not a member of the Procedures Committee when those recommendations were made, I cannot comment on the unanimity or otherwise of members on them. However, I think that it is fair to say that this time, although there was unanimity about the inadequacies of the present system, there was divergence of opinion among committee members—and members in general—about how to resolve those inadequacies, which resulted in a number of divisions on issues.

In the review, the first requirement was to determine the timing of First Minister's questions, but that could not be determined in isolation. The feeling came across that the splitting of First Minister's questions from oral questions had affected both events adversely. That is why I supported the element of Jamie McGrigor's suggestion, which the committee adopted, which advocated having general questions immediately preceding First Minister's questions. That change re-establishes the previous link between general questioning of ministers by members and First

Minister's questions, albeit on a Thursday morning rather than afternoon.

However, neither I nor my colleague Tricia Marwick could support the other element of Jamie McGrigor's suggestion, which was to transfer the themed element of oral questions to a Wednesday, an idea that, frankly, commanded little support among MSPs. On a related point, quite how Mark Ballard, the Green member of the Procedures Committee, managed to square his support of the move to Wednesday with the other Green submission, which was to make question time later in the week in order to give members longer to consider it, I do not know. I suspect that he might address that issue when he speaks. Further, I could not have endorsed the Tory suggestion that would, in effect—within the time constraints with which we were faced—have handed over the bulk of the themed oral questions to Opposition spokespeople to the detriment of all back benchers in the Parliament.

The second suggestion, which came from the convener and achieved, after some discussion, the overwhelming support of the committee—and even some qualified support in the Scottish Socialist Party submission—was to replace the present system of selecting questions for oral question time with a system that involved the selection of members. That system will reduce the number of questions that are submitted every week and will eliminate the work that is conducted unnecessarily by members who are unsuccessful in the present ballot system.

The selection of members, which will take place two weeks before the questions are due to be asked, will be followed by the members who are successful in the new ballot submitting their questions one week before oral questions. No individual MSP will be permitted to ask more than one oral question in any one week, a move that we suggest will increase the number of members who are able to ask questions. Of course, it will be for members to decide on how many areas they wish to submit questions.

Part of the criticism of the existing arrangements is that, despite the fact that the questions are themed, a focus on particular issues is not allowed, which is largely due to the random nature of the ordering process. The committee considered and rejected giving the Presiding Officer the right to order questions, but recognised the need for greater focus on issues as they arise. That is why it was correct that the committee recommended that the Presiding Officer be given the ability to ask the author of a selected question that is similar to one that is already being considered to ask their question as a supplementary to the question that is higher in order on the list.

I trust that this will be the last time for a while that this subject is visited, if only to give some of the committee's older hands—metaphorically speaking, of course—such as Cathie Craigie and Karen Gillon a bit of time away from the subject.

I hope that members will support the motion.

**The Deputy Presiding Officer (Trish Godman):** I call Murray Tosh. You have four minutes, Mr Tosh.

15:13

**Murray Tosh (West of Scotland) (Con):** I apologise for the absence of my colleague Jamie McGrigor, which has been occasioned by a family bereavement. On behalf of the Conservative group, I thank the Procedures Committee for its work, its conclusions and its willingness to consider changing procedures in the interests of improving them.

Paragraph 66 of the report deals with recommendations on issues of timing. The Conservative view is that the half-hour First Minister's question time has worked reasonably well. If members will forgive me, I will not personally be drawn on the balance of time between party leaders and back benchers, but we take the view that the fact that First Minister's question time is led by the Opposition leaders is one reason why it attracts greater attention and appears to be a livelier experience than is sometimes the case with the themed and open question times.

We agree that the experiment—if we can still call it an experiment—should be continued. On balance, we would prefer an afternoon slot for First Minister's question time but we accept that there are arguments for and against that position and that it is a matter of judgment. Therefore, we will not pursue our disagreement on that detail to the point of voting against the committee's recommendations this afternoon.

We accept the proposal that the 20-minute general question time should be held immediately before First Minister's question time and that, therefore, the themed question time should be separated from the general question time.

We would prefer to experiment with themed questions on a Wednesday and we suggest that the perpetually empty press galleries, the lack of any media coverage for themed questions, and the relatively low rate of attendance and attempts to ask supplementaries in the chamber might be an argument for trying it on a different day, when greater attention might be paid to it. However, we recognise that the committee did not agree with that suggestion so we simply note it in passing as a point to which we might want to return. Given the

other recommendations, it is logical that we should accept the earlier start on a Thursday morning to accommodate themed questions.

On the recommendations in paragraph 67 of the report, we agree with drawing members' names rather than questions. We hope that that change might reduce the increased incidence of withdrawn questions that we have seen in recent times. That is a regrettable circumstance where it is avoidable, I suspect that sometimes it has been avoidable. It is not just the member who is down to ask the question who is entitled to the question; other members have attended for the supplementary questions and they are often justifiably indignant when a question is withdrawn at short notice.

The second starred recommendation in paragraph 67—that members get only one question per session—might well increase participation and we therefore welcome it. There is also a suggestion that similar questions be brigaded. We acknowledge that that already happens informally and that it works reasonably well. However, building it into the rules will help to make it official.

Paragraph 70 notes that

“the Committee does not anticipate”

returning to the issue of oral questions during this parliamentary session. We understand and sympathise with that point of view, but we also note that the wording does not rule it out. Therefore, we leave down a marker that, in the event that we think that themed questions continue to struggle to attract the attention and participation of members that we would all like to see, we might well invite the Procedures Committee to consider the issue again during this parliamentary session. However, if the committee has judged the issue well and its recommendations are entirely successful, we will all be perfectly happy that the matter need not be raised again.

15:17

**George Lyon (Argyll and Bute) (LD):** On behalf of the Liberal Democrats, I add our general support for the Procedures Committee's recommendations. However, we have several concerns and I have a feeling that we might need to return to the subject before we reach the end of the current parliamentary session.

As Iain Smith rightly pointed out, there was—and still is—a general feeling among MSPs that the current format for question time and First Minister's question time is not working as well as it could. The criticisms that I have and which I hear from my members concern two issues, both of which are to do with timing. Several colleagues

believe that separating First Minister's questions from general questions to ministers has diminished both sessions, but especially the session of general questions to ministers; that session has probably suffered most, along with the themed questions.

There are also concerns about the movement of First Minister's questions to the lunch-time slot. The experiment has been running for almost 18 months, but a number of our members are not convinced that it is working well. One of the reasons for that view is that we have lost almost 30,000 "Holyrood" viewers. The restricted coverage that we get at 12 o'clock means that the programme cuts away after party leaders' questions, leaving back benchers with little or no coverage. It is important that all members in the Parliament get a chance for their questions to the First Minister to be heard by the rest of the country.

Those are the two main reasons why 71 per cent of MSPs who responded to the recent committee questionnaire opposed First Minister's question time continuing in the 12 o'clock slot. It is argued that the loss of television coverage is compensated for by regular coverage on both BBC and STV lunch-time news, but I remain to be convinced by that argument. We need as much coverage as possible of the Parliament in action—members debating issues, and questioning ministers and the First Minister on issues that are relevant to our constituents. Previous coverage on the "Holyrood" programme met those objectives much more effectively than do two soundbites on lunch-time news and the current limited "Holyrood" slot.

What other institution would lightly give up regular, in-depth coverage of it at work, when that coverage was watched regularly by an audience of 46,000 viewers every Thursday afternoon? As a result of the changes that we made and the move to the lunch-time slot, we lost nearly 30,000 viewers. I am not convinced by the argument that the extra coverage that we get in the lunch-time news bulletins—which is mainly of party leaders—is enough to compensate for that loss. I do not think that we realised just how successful the question time format that we had during the Parliament's first session was. We were convinced that we should have moved back to that format and the Conservatives supported that view in some of their submissions to the committee's inquiry.

I have reservations about the new method whereby individuals will be selected to ask questions, rather than the questions themselves being selected. I remain hopeful that the new system will work, but it will need some time to bed in. I am also concerned about the length of time

that is allocated to the leaders of the two main Opposition parties at FMQs. On some occasions, the first questioner gets between eight and nine minutes. That cuts into time that should belong to the back-bench MSPs who ask questions 4, 5 and 6.

To sum up, the Liberal Democrats will support the Procedures Committee's proposals. Although I hope that they are a success, I remain to be convinced on the coverage argument, which we may well have to revisit before the 2007 election.

15:21

**Richard Baker (North East Scotland) (Lab):** It is a pleasure to speak for Labour in this debate on the Procedures Committee's final review of oral questions. The process has been long and those members who suggest that we should revisit it before 2007 should acknowledge the blood, the sweat and the large amount of negotiation that have gone into finalising our recommendations and concluding our report with such a great deal of consensus.

The review was initiated to ensure that our parliamentary process for questioning the Executive was refreshed and renewed. It was appropriate for the review to take place so that we had the best possible system to use in the new session of Parliament. The initial shorter review was productive in developing a system whereby Executive question time could establish an identity of its own that was separate from that of First Minister's question time.

I believe that the introduction of themes has enabled closer scrutiny of the work of ministers and their departments. There is no doubt that the new format took time to bed in, but it has now done so and it is clear that it has created opportunities for more and different people and groups to watch question time in the chamber. I am talking not only about media coverage, to which Mr Lyon referred, but about visiting groups. The new format means that two different sets of visitors can come to the chamber—the first can watch First Minister's question time and the second can come along after lunch to watch questions to the Executive. That is an important factor.

I realise that BBC coverage is valuable and important, but the BBC is only one broadcaster of question times. The fact that other broadcasters provide lunch-time coverage offers the potential for the Parliament to reach a far bigger audience than the 40,000 that George Lyon mentioned. That consideration formed part of the debate that informed the committee's discussions and decisions. It is important to note that such a debate took place.



Whenever one introduces a new system, scope for it to be modified and improved becomes apparent. The committee anticipated that by introducing the system for a trial period. The committee's final report is the result not only of give and take between the parties to achieve some consensus, but of our having had the chance to assess how the new system could be improved.

I was always interested to find out how a system that meant that every member could have three questions would work. Our experience of occasions on which members have had three questions selected for answer one week and have then gone for a long time without getting any of their questions selected shows that there was need for change. The proposal in the report, which will mean that members will have only one question each, is far better. Another big improvement is that members will know that they have been selected to ask a question before they need to submit the question itself. That means that members will be able to focus on asking one question and will have more time to put into preparing it. I believe that that will result in better questions, improved scrutiny and a more rewarding process for members.

The move to hold general questions before First Minister's question time is important for those members who felt that the atmosphere of general questions would benefit from its being part of the build-up to FMQs, and that general questions would, in general, be a good way to move into FMQs.

I do not have time to highlight all the useful issues that are covered in the report, but I will flag up the concerns about the lack of time that is provided for back benchers at First Minister's questions, which is of great concern to a large number of members, particularly in the Executive parties. It is important to address that issue so that there is more equity of opportunity for all members to raise issues at that important forum. The report also supports the Presiding Officers as they take action in other areas, such as ensuring that questions concern areas in which ministers are competent to answer.

The debate follows a great deal of discussion of the report. I have no doubt that, as we have heard today, the issues will provoke even more discussion in the future, but I believe that the committee's proposals for the timing and format of our question times will bring improvements to those question times, help them to be more effective and address the wishes of members from all parties by ensuring that oral questions are not only a vital, but a productive, part of the business that the Parliament carries out.

I endorse the motion.

15:25

**Mark Ballard (Lothians) (Green):** I welcome the opportunity to comment on the Procedures Committee's recent machinations. I thank the clerks for all their work in helping us to prepare the report; in particular, I thank them for their work on tables 11 and 12 in annex C, for which they had to count endless columns in the *Official Report* to analyse how question times run.

I concur with Richard Baker: the report is a good attempt to balance different party needs, the different media needs and the needs of those who view the Parliament from the public gallery and on television. Achievement of that balance was a difficult job. I had major concerns about the shift away from an afternoon First Minister's question time to a morning First Minister's question time. I still have some of those concerns, but many of my issues with the way in which we did it initially have been addressed by the way in which we are moving forward.

In particular, we must recognise the situation of those members who close a Thursday morning debate that leads immediately into First Minister's question time, as I did today. There is real difficulty with the lack of flexibility for them when the Presiding Officer is trying to begin First Minister's question time at 12 o'clock on the dot. The general question time that we will get before First Minister's question time will act as a good warm-up for it and will produce the break that we need to shift from a debate to First Minister's question time. I hope that that will do something to tackle the problems that I have encountered in trying to get public gallery tickets for visitors for a Thursday morning debate because they have all been booked up by people who turn up only at 12 o'clock for First Minister's question time. That situation means that we have an empty gallery from 9.30 am until 12 o'clock but no available tickets.

We have taken major steps to try to address some of the problems with the 12 o'clock First Minister's question time and have made proposals that balance its effectiveness with the different needs that are associated with it. We also had an opportunity to reconsider the themed questions that we introduced. I draw the Parliament's attention to table 9, which outlines the wide disparity between the most popular themes—health and community care; and enterprise, transport and lifelong learning, which also includes culture and sport issues—and the least popular themes, which are finance and communities. We must urge the Parliamentary Bureau to take the opportunity to examine those themes, as is suggested in paragraph 60 of the report, to determine whether we have the correct themes or whether we need to rebalance some of them. That

would help to produce a better themed question time. In addition, I welcome the new proposals for the selection of members rather than questions, which will also go some way to improving the way in which the themed question time works.

I support the report. I support its balance. It does not give everybody what they would ideally want, but it is a fair reflection of the committee members' different positions.

15:29

**Carolyn Leckie (Central Scotland) (SSP):** I congratulate the Procedures Committee for taking on board and balancing the views of 129 MSPs and achieving some form of consensus, which must be regarded as quite a feat.

My preference was for a reversion to the grouping of general questions with First Minister's questions. As well as not being popular with respect to their timing and so on, themed questions are sometimes restrictive in relation to what questions may be asked. I have had difficulty on a number of occasions in trying to fit the question to the portfolio, rather than asking the question that is topical and necessary and relying on the Executive to select the appropriate minister to answer it. I suspect that some of the concerns that have been raised and some of the tweaking around that has been done with themed questions might be resolved through reverting to general questions, so that the following week members can ask the question that is most topical for them without needing to fit it into any particular category.

On the subject of media coverage, it is important that we say things in the chamber that people will want to listen to. We should discuss matters that will inspire people and attract the population. I am not always a great fan of the media but I suspect that it must sometimes be quite difficult to pick out highlights and put something on the news that is attractive to viewers. I am not sure that a continuous programme, moving from First Minister's questions to general questions in a big block, would offer the most exciting viewing that anybody had ever seen.

Like Murray Tosh, I think that we should keep our minds open and see what happens in the future. We have a duty to make this democracy, within the limited devolution that we have, work and appeal to the people. That is our responsibility. As the report says, tweaking the procedures will not necessarily achieve that. We will support the Procedures Committee's report, and we will keep an open mind. In the future, we might ask for some reconsideration.

I agree with Mark Ballard on the question of seating in the public gallery, although that is not

really within the remit of the Procedures Committee. We have written to the Scottish Parliamentary Corporate Body on the matter. There needs to be a separation of bookings for the public gallery between debating time and question time—the public should be able to book for those specific times. I hope that then we might achieve greater attendance, as there might be people who want to turn up for an SSP debate, for example, but who do not necessarily want to hang around for question time. I am sure that members of other parties think the same. That would be a commonsense change, which could help everybody.

15:33

**Lord James Douglas-Hamilton (Lothians) (Con):** The Scottish Conservative group of MSPs are glad to support the motion to alter the procedures for oral questions. The motion does not go as far as Jamie McGrigor's preferred option, which included moving to a dual question time on Wednesday afternoons, but it offers a balance, or compromise, which may be reviewed in due course. The crux of the issue remains the fact that the purpose of the oral questioning of ministers is to hold the Government to account. The scrutiny of ministers should be meaningful and sustained; above all, the procedures for handling oral questions should provide for thorough, effective and transparent discourse.

In his proposals to the Procedures Committee, Jamie McGrigor stated:

"Since the changes to Question Time have been made, the general and thematic question sessions command far less attendance in the Chamber and do not seem to have the impact that they did when they were linked to First Minister's Questions."

It is for that reason we support the motion, which should boost the importance of general question time and allow the Scottish people greater insight.

Not all MSPs were told why these delightful little lights line the floor of the gangways near our seats. They are for emergency procedures in case smoke fills the Parliament, so that even the least observant MSP should be able to find the way out.

In considering our procedures, it is relevant to point to the bottles in the windows at the front of the debating chamber. Although the shapes look like bottles, they are meant to symbolise people in Scotland witnessing and looking into a transparent and accountable people's Parliament.

The First Minister has said that we must "raise our game" in the new chamber, and he is right. We must keep it in mind that we are not here for the convenience of ministers, but as the servants of the people. Ministers can and will be held to account in this chamber when that is necessary,

and the best interests of the people must be allowed to prevail at all times. The wishes of the people on procedural matters should weigh most heavily with us. With that thought in mind, I am glad to support the motion.

15:35

**Tricia Marwick (Mid Scotland and Fife) (SNP):**

It is always a pleasure to speak after Lord James Douglas-Hamilton. I am grateful for being told what the little blue lights are for—I thought that they were a design feature of the Parliament and did not realise that they have a practical purpose.

I welcome the opportunity to take part in the debate. The Procedures Committee is one of the Parliament's unsung committees, but what it does and discusses impacts on every member and on how business is discussed in the chamber.

No one pretends that every member will be satisfied with what has been proposed today—indeed, there are probably 129 different preferences with respect to the timing of FMQs and question time combinations. There is still concern about First Minister's question time being held at noon on Thursdays, but we need an opportunity to let it bed in a bit more before we take the step of putting it back into an afternoon slot.

The proposals that we are considering are more acceptable than all the other schemes that the Procedures Committee discussed. The proposals are that FMQs would be retained at 12 o'clock and, with the earlier start of 9.15 on Thursday mornings to take account of general questions beginning at 11.40, a block of almost 2.5 hours of debating time would be retained on Thursday mornings and Wednesday afternoons. That there is the capacity for us to have longer debates is absolutely critical.

I turn to the vexed question of the method of selecting questions. Like many members, I have been frustrated by the seemingly uneven selection of questions. Many of us no longer submit questions, as we believe that our questions will not be selected; even if they are, we believe that they will be so far down the list that they will not be reached anyway. I think that the lack of confidence in and the frustration with the system are the reason for the lack of attendance at question time. That is why I warmly welcome the move towards names being randomly selected, meaning that members would go away and submit a question only after their names had been randomly selected. There is nothing more frustrating than submitting well-considered questions and simply not getting them taken. Through what has been proposed, at least we will find out whether we will be number 1 or number 12. We can then decide whether submitting a question is worth while.

I share the concerns that many members have raised about the allocation of tickets to the public galleries. It is simply unacceptable that, after all this time, the Scottish Parliament Corporate Body cannot get its act together and produce a system of two-hour slots so that people are in the chamber on Thursday afternoons when we are debating, rather than tickets being retained for FMQs. That a decision has not been taken on that matter by now is unacceptable and I hope that members of the corporate body who hear the debate or read the *Official Report* of it will take on board members' views on that matter.

I am sure that this will not be the final word on question time timings or question time procedures. Of course, the Procedures Committee will react to members' concerns and I am sure that it will monitor how the new arrangements bed in. However, the arrangements are welcome for the moment and the Scottish National Party will support them at 5 o'clock.

**The Deputy Presiding Officer:** I call Margaret Curran. Ms Curran, you have 10 minutes.

15:40

**The Minister for Parliamentary Business (Ms Margaret Curran):**

I will probably not take up the entire 10 minutes, which might be good news. I often work on the assumption that my finishing early is good news, but perhaps it is not—enough self-deprecation.

The Executive welcomes the Procedures Committee's report on the final review of oral questions, and I am happy to endorse it. I acknowledge the work that has been undertaken by the convener and members of the Procedures Committee in their careful consideration of all the issues that are under discussion this afternoon. It has been a tribute to the parliamentary process that members of different political persuasions have worked so constructively together. I also take the opportunity—as ever—to thank the clerks for their work, which made such an important contribution to the committee's considerations.

We have welcomed the opportunity to contribute during the various stages of the committee's inquiry into oral questions in the chamber since it began at the beginning of the parliamentary session. Having listened to members' comments, I believe that there may be an opportunity to comment again, and I would contribute to any debate on procedures with great enthusiasm. Nevertheless, it is important that we give these proposals time to bed down, so that any changes that are made work in the interests of the Parliament.

The Executive recognises the fact that question time is a vital part of the parliamentary process.

Indeed, it is a significant parliamentary occasion that attracts considerable attention among the general public as well as among the media—it is important to acknowledge that. Lord James Douglas-Hamilton was right to emphasise the fact that it is central to the process of accountability to which the Executive attaches great importance, and it is very important to the whole democratic framework that ministers are held to account in such a public format.

**Murray Tosh:** I ask the minister to cast her mind back to when she was the Minister for Communities when, after giving a statement, she would have the opportunity to respond to a series of questions on broadly the same theme, which she would bat away effortlessly all round the chamber. I ask her to compare and contrast that to responding to themed questions, when she might have received one or two questions out of a general session. There was never really anything very sustained on her brief—or, for that matter, on the briefs of other ministers. Is there not an argument for having more focused questions, perhaps led by Opposition spokesmen, and allowing for a run of questions from all round the chamber on whatever the issues of the day are?

**Ms Curran:** I accept that when the questioner is given an opportunity to be more focused and systematic and to argue on a theme, that leads to greater accountability. It is perhaps slightly easier not to answer questions if they are all on different subjects and posed at different times—not that any minister would attempt not to answer a question or duck a serious political issue, as I am sure Murray Tosh will happily acknowledge.

I am not sure, however, that the questioning should always be led by Opposition spokespeople. One of the main drivers behind the committee's thinking was the idea that back benchers should be given a proper opportunity to ask questions within the format. The accountability that the Parliament exercises can be just as stringent when it comes from back benchers as when it comes from Opposition spokespeople. It is not always the case that Opposition spokespeople put ministers under greater pressure or hold ministers to greater account because of the position that they hold; it is often the subject matter that leads to a sharper exchange. In my opinion, the more focused and linked the questions are, the more satisfactory the exchange is in terms of clarity and accountability.

I will move on to the recommendations in the report. I am pleased to say that the Executive endorses the committee's recommendation that First Minister's question time should continue to take place at 12 o'clock on Thursdays. In reaching that conclusion, the committee rightly took into account a wide range of factors, including—as

members have mentioned—television coverage and accessibility to members of the public, especially schoolchildren. Since First Minister's question time was moved to 12 noon, more schoolchildren have been able to visit the Parliament and view a full meeting. That is also evidence of the fact that many members are involved with schools in their constituencies and ensure their access to the Parliament.

We agree that having 20 minutes of general questions in advance of First Minister's question time should help to create a sense of build-up to and atmosphere for First Minister's question time. Splitting general questions from themed question time will also give gallery visitors a greater choice of sessions to attend.

As members have pointed out, the committee considered holding the thematic element of question time on Wednesday afternoon. However, the committee's poll of MSPs showed little support for any form of oral questioning on a Wednesday afternoon, and we believe that the most appropriate slot for a themed question time is after lunch on Thursday.

The proposal for a slightly earlier start time of 9.15 am is acceptable, especially as we must protect time for parliamentary debate. In particular, Opposition parties have to have their time in the chamber. We also agree with the proposed start time of 2.15 pm on Thursday afternoon. We feel that such an approach still honours our commitment to family-friendly hours, which, given our modern Parliament and the new politics that we are committed to, is important to us. That said, I have some sympathy with members such as Fiona Hyslop who have a young family. I realise that it is a challenge to get here early in the morning, and I do not think that we should disabuse ourselves of our family-friendly commitments quite as easily as we might have done in the past. However, we feel that this proposal just manages to honour those commitments.

The poll of MSPs showed that a majority was in favour of retaining the current themes for questions. If the Parliamentary Bureau follows the committee's suggestion and undertakes a review, it might be appropriate to expand one of the themes to incorporate, for example, my own portfolio as Minister for Parliamentary Business. I would be happy to engage with the bureau on that matter to ensure that all Executive activities are properly held to account.

The new system of selecting members' names rather than questions will mean that the process of selection can take place earlier without prejudicing the topicality of questions. As the committee notes, that will benefit members and those who manage the system. Limiting members to one

question a week seems fair and sensible and will, I hope, maximise the number of members who are able to take part in general and themed question time. That should reinvigorate the process which, as members throughout the chamber have acknowledged, appears to be something that needs to happen.

The committee's recommendation that the Presiding Officer should be able to link related questions also makes good business sense. It is worth emphasising that the onus is on individual members to have regard to their questions and ensure that they are clear and concise. Indeed, I pay tribute to the Deputy Presiding Officers and the Presiding Officer himself, who are always encouraging us to be clear and concise in our questions and answers. If members do that, we will have a better question time.

I also take this opportunity to emphasise that questions must relate to clear areas of responsibility on which the ministers and the First Minister can respond. Such an approach will lead to greater accountability. After all, the First Minister and ministers are here to answer for their areas of ministerial responsibility. We must ensure that that is the exercise's primary purpose and that it is reflected in any procedures that are introduced.

We agree with the proposed changes. However, we feel that, once the new arrangements take effect, there should be a period of stability. Of course, we should bear in mind Tricia Marwick's point that there is still an onus on the Procedures Committee to respond to any points that members might raise. The general atmosphere in the Parliament is that we need a period of stability and to settle into the new arrangements. I acknowledge the Procedures Committee's great energy in these matters and have no doubt that it is desperate to have another parliamentary debate. However, perhaps we could persuade it to hold off for a wee while. Indeed, I have heard that some of its members are thinking about not bringing this matter to the Parliament's attention again this session, but we will wait and see.

Ultimately, I endorse the committee's view that it is the responsibility of all members to ensure that the arrangements work well. The Executive will do its utmost to facilitate the committee's recommendations and we will play our part in ensuring that the Parliament's procedures work well. With these measures, I hope that the Scottish public will have faith—and, as Carolyn Leckie pointed out, a degree of interest—in what we do and that we will be properly held to account.

**Tricia Marwick:** On a point of order, Presiding Officer. In my speech, I might have suggested that the SPCB was not moving fast enough on the issue of ticketing for the public galleries. There has

since been a whisper in my ear. I understand that, today, new ticketing arrangements have been announced for the public gallery.

**The Deputy Presiding Officer:** That was a point of information, not a point of order.

15:50

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** On behalf of the Procedures Committee, I thank all the members and the clerking team—I sometimes wondered how they managed to make any sense of the different suggestions that came from committee members, but they did.

I mentioned previously in the chamber the competition that exists between the 129 MSPs for the ear of a Procedures Committee member. It seems that every member of the Parliament has an easy solution that will improve First Minister's and Scottish Executive question times, to make them much more interesting to members and the public.

We did not have the luxury of taking on board every suggestion from the 129 MSPs because we had to narrow them down into what could be contained in the pages of our report. However, our report demonstrates that the committee took all the issues that were raised very seriously. Judging by this afternoon's debate, there is a certain amount of consensus and I hope that the motion will be supported.

The convener of the Procedures Committee spoke about the improved mechanisms that will be introduced to deal with the selection of members' questions, and he left me to discuss points about the timing of First Minister's questions, which was perhaps the most contentious issue that we looked at during the inquiry. As members know, it was moved to 12 noon on Thursday in 2003. The move was controversial at that time and it has remained so throughout the debate for some.

Although the views of members and the press were split on the matter, the evidence clearly indicates that the public and school groups were in favour of the 12 noon slot. As members have recognised, having two separate chamber events involving oral questions—one before and one after lunch—gives more people the opportunity to watch our proceedings from the public gallery.

As some members suggested, it would have been wrong to take on board the view of just the media. We had to balance the public interest with the media coverage, and what we have proposed will ensure that we have public involvement in the viewing of question time. A majority of committee members supported the 12 noon slot for First Minister's question time.

Other timing issues, such as the implications for parliamentary debates on Thursday morning and

afternoon, have been discussed by members this afternoon. The changes to the timing of questions that we have proposed will give us a warm-up session by moving Scottish Executive question time back to the slot before First Minister's questions. Many members, including my colleague Duncan McNeil, enjoyed the warm-up session before First Minister's question time when it originally occupied that slot on Thursday afternoon. I am sure that many members will again enjoy taking part in that warm-up session. However, throughout the debate, it has been clear that members did not want to see Scottish Executive question time simply as a warm-up slot. Everybody agrees that for Scottish Executive question time to flourish, it has to stand on its own two feet. I think that it can stand on its own two feet and that it can be interesting.

Murray Tosh suggested that ministers compared question time with ministerial statements. The Presiding Officers also have to play a part in the process by encouraging members to accept their suggestions to link questions together so that we take a thematic approach. That was suggested in the committee's report and I hope that the Presiding Officers will take it on board. I am sure that they will have the backing of members in that regard.

Having told her what to do, I now look for guidance from the Presiding Officer on the time that I have available for dealing with the many other issues that were raised in the debate.

**The Deputy Presiding Officer:** I can give you another minute or two.

**Cathie Craigie:** Thank you, Presiding Officer.

I have dealt with the timing issues, so let me touch on other concerns that members raised. My impression from George Lyon's speech is that his party has the most concerns about how question time will operate. I am sorry that Iain Smith will have a job in convincing the Liberal group that the proposed changes are right, but I am sure that committee members would be willing to support him in doing that. However, given the make-up of his group, it might be difficult to obtain a consensus. I have just noticed that George Lyon is in the seat behind me, so I may now be in trouble.

The debate has been very good. I think that we have consensus on the need to make the proposals work. We want them to work, but back-bench members cannot continually blame everybody else if question time is less interesting than it should be or if it has no atmosphere. This is our Parliament and we submit the questions, so members must come along and take part. I am sure that the new arrangements will work.

I was horrified to hear Murray Tosh and Carolyn Leckie ask us to keep an open mind on the issue.

Our committee will always do that, but we said when we finally signed off the report that it would be the final "final report"—we even wanted that to be put on the front cover. I hope that members will give the new arrangements an opportunity to run until the end of the current parliamentary session. Of course we can always look to make improvements, but let us give the new arrangements a chance. That will give the Procedures Committee an opportunity to consider other issues that are important to members.

## Members' Interests

**The Deputy Presiding Officer (Trish Godman):** The next item of business is a debate on motion S2M-2417, in the name of Brian Adam, on behalf of the Standards Committee, on a proposal for a committee bill.

15:57

**Brian Adam (Aberdeen North) (SNP):** I am pleased to present the Standards Committee's proposal for a committee bill to replace the Scotland Act 1998 (Transitory and Transitional Provisions) (Members' Interests) Order 1999. I take the opportunity to thank the committee clerking staff, our advisers and the staff in the non-Executive bills unit for their invaluable advice in preparing our report and I thank committee colleagues for their commitment to unravelling the sometimes complex issues that we had to face.

As Parliament agreed in 2002, a committee bill is the most appropriate vehicle through which to replace the existing subordinate legislation. The unfortunate lack of parliamentary time for the introduction of such a bill at the end of session 1 was a matter of great regret to our predecessor committee.

The Scotland Act 1998 requires that

"Provision shall be made for a register of interests of members of the Parliament"

and such a register is mentioned in the "Code of Conduct for Members of the Scottish Parliament". As well as specifying certain requirements for the register of members' interests, the Scotland Act 1998 prescribes that a breach of the provisions is a criminal offence. The Minister for Parliamentary Business may wish to reflect on that issue in her discussions with her Westminster counterparts.

Members should know that, as early as 2000, the Standards Committee and others identified areas of the order that would need to be addressed in any replacement legislation.

Paragraph 4.1.1 of the code of conduct sets out the main purpose of the register of members' interests, which is

"to provide information about certain financial interests of members which might reasonably be thought by others to influence members' actions, speeches or votes in the Parliament, or other actions taken in their capacity as members."

The previous Standards Committee took the view that registration and declaration should be perceived not simply as a means of policing the probity of elected members but as setting members' contributions to political debates in context. Those principles have helped to guide the current committee in its thinking.

Without repeating everything in the committee's first report of 2005, I want to highlight some of the proposed key changes. Our report recommends that a revised, more objective influence test should be applied to certain categories of interest. That test formed part of the proposal that was accepted by Parliament in 2002. The influence test forms the backdrop to the whole of the register, looking directly to the purpose of the register and to setting a member's contribution in Parliament in context. The committee wishes to make the test clear and is recommending that the test should be an objective one, meaning that it should be applied by asking whether the fair-minded, reasonable and informed observer, having considered the facts, would conclude that the impartiality of the member might be prejudiced by the interest in question. The judgment of the member would have to be exercised on an objective basis, as opposed to a subjective basis.

The committee took as a starting point the recommendations that were made by the previous Standards Committee. We agreed to adopt many of the recommendations on the existing categories and considered further the categories of gifts, heritable property and shares in particular. We also issued a public consultation paper seeking the views of interested parties. That consultation exercise resulted in only 32 responses from 28 individuals and organisations, two of which even indicated that they did not wish to respond.

Most of the comments that were received related to the issue of non-pecuniary interests. That gives some indication of the level of interest in these matters from the public, especially when one contrasts the number of responses to this consultation with the 54,000 or so responses—including 52,000 individual representations—to the Executive's consultation on smoking. It is also significant, in my view, that none of the members individually submitted their views, in spite of several opportunities that they were given.

I turn to the three categories that I mentioned previously, the first of which is gifts.

**Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** Will Brian Adam clarify paragraph 37, which indicates that a list of gifts will be published

"at the beginning of the year"?

Is that the financial year, the parliamentary year or the calendar year?

**Brian Adam:** I thank Margaret Jamieson for that helpful intervention. The intention is primarily that it should be the financial year, but that will be clarified in the drafting of the bill. I am sure that those who have that onerous task will pick up on that as a result of the debate.

The committee agreed that we should express the threshold figure for registration of gifts at 0.5 per cent of an MSP's salary—that is broadly the current monetary value—and that that amount should be uprated annually in line with members' salaries. That link with salaries is also to be made with heritable property and shareholdings. The purpose and effect of having a specific influence-related test for registering gifts is to exclude such things as intra-family gifts. To require registration of such gifts was considered by the committee to be an unreasonable interference with private and family life. In the absence of such a test, it would be necessary to register all such gifts or to list the relationships that would be exempt from the registration requirements. A list approach is possible but problematic, given that no two family structures are identical.

In relation to heritable property, the committee recommends that members are required to register their partners' interests in heritable property. That also brings that category into line with those of gifts and shares, where a member is required to register those that are held by a partner. The committee agreed that it makes more sense to register shareholdings in terms of their market value than in terms of their value at the time of issue. The market value would be set at the beginning of each financial year. I reiterate for Margaret Jamieson's benefit that that is also the committee's intention with regard to other matters.

I also want to draw members' attention to the new category that the committee is proposing should be included in the new legislation—that of non-pecuniary interests. The category will include unremunerated directorships and memberships of voluntary and charitable organisations, professional bodies, societies and sporting or cultural organisations. Many members have already chosen to register such interests voluntarily. Having taken written evidence on that specific matter, we have decided to recommend the mandatory registration of non-pecuniary interests for three reasons.

First, we see non-pecuniary interests as potentially wielding the same influence over members in the conduct of their parliamentary duties as pecuniary interests. Secondly, we see mandatory registration as a positive step that fulfils the broader purpose of the register, which is to provide information about MSPs' expertise and experience. Thirdly, we are conscious that a similar requirement is imposed on councillors and others by the Ethical Standards in Public Life etc (Scotland) Act 2000. We do not want MSPs to be accused of double standards.

If the Parliament agrees to the committee's proposal, there will be further opportunities to debate the provisions in the bill at stages 2 and 3.

In reviewing the members' interests order and in formulating our proposals, we have tried to ensure that we have applied the principles of openness and transparency while striking a balance, where appropriate, with the right to privacy for members and their families. It was not an easy task, but I think that there is proportionality in our proposals.

I move,

That the Parliament agrees to the proposal for a Committee Bill under Rule 9.15 contained in the 1st Report 2005 (Session 2) of the Standards Committee, *Replacing the Members' Interests Order* (SP Paper 266).

**The Presiding Officer (Mr George Reid):** I call Alex Fergusson.

16:06

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** The rapturous applause meant that I was taken by surprise when the Presiding Officer called me to speak. Thank you for doing so.

The convener of the Standards Committee has laid out the background to the motion and I hope that the requirement for the bill is clear to all members. There is a legislative requirement to introduce a bill on the register of members' interests. Frankly, I believe that anyone who sees fit to vote against the motion should not come under the auspices of the order because they should not be a member of the Parliament.

I will consider one or two aspects of the committee's deliberations and consultation that preceded the debate. The consultation document was widely distributed, as is the manner with the plethora of consultation documents that we have these days. The fact that, as the convener mentioned, only 32 responses were received, is more than worthy of note. I do not like to contradict the convener, but the number of responses from private individuals was 22—I think that he said that the figure was 28.

Twenty-two of the 32 responses were from individuals who, it has to be said, came largely from one fixed viewpoint. There is nothing wrong with having that fixed viewpoint and I commend those individuals for the time and effort that they took to table their submissions. However, when 22 or fewer individual submissions are received on potentially contentious issues such as gifts, paid advocacy, intra-family gifts and non-pecuniary interests, I have to believe that the several million residents of Scotland who did not table submissions are in effect content with the current arrangements that cover members' interests.

As on all matters, there is a responsible balance to be achieved on these issues. In my opinion, the majority of the 22 submissions from individuals



failed to strike that responsible balance. Rather, they tended to come from one particular position: they would like to see every MSP declare every single thing from what time they get up to what time they go to bed and the number of breaths that they take in between. Although it will, rightly, be for the whole Parliament to decide on the issues, I believe that a requirement to declare every single tiny facet of our existence would constitute a gross intrusion of members' privacy, to the extent that it could even put people off any ambition to be a member of the Parliament. That would be a retrograde step. There is a limit to the amount of intrusion that any register should involve and we must be careful that we do not step over that limit.

Further debate on the matter will undoubtedly follow as the bill progresses, but I believe that the committee was entirely responsible in its desire to ensure that the register of members' interests contains all the relevant information, while stopping short of requiring the grossly intrusive information that a few people seek to have included. In my limited experience, such information is used only by those who seek to make mischief out of it. Some current requests under the Freedom of Information Act (Scotland) 2002 tend to support that position.

We should act responsibly to ensure that members register matters of genuine interest, which might, as the report says, prejudice their actions or the work that they do as MSPs. That is what the bill is about and I believe that the committee is united in that view.

That is why I believe that the objective test is absolutely correct for the Parliament. I will quote from the report. The test will require

"each Member to ask themselves, not whether they would or might be influenced by the interest but, whether a fair minded and informed observer would conclude that their impartiality would be or appear to be prejudiced by the interest."

Any other course of action would suggest that MSPs were irresponsible individuals who could not determine such issues for themselves. We are legislating and scrutinising legislation for the betterment of our country, but at the same time we might be about to suggest that we are not even capable of determining questions to do with interests. That would be a diabolical position to be in.

I accept that some—or even much—of the press corps and a few individuals believe that we are irresponsible, but it is simply not the case. Members are, on the whole, fair-minded and informed on these matters, which is exactly what we ask members of the public to be when concluding whether members' impartiality would be, or would appear to be, prejudiced by their interests. The position that we have taken is clear

and mature. It allows grown-ups to make those decisions.

We have to be careful about the potential to indulge in witch hunts through the medium of this bill—especially in relation to matters under the heading of non-financial or non-pecuniary interests. As the committee's report states, that issue engendered by far the most numerous responses—and, I would add, the most heated responses. That was particularly true in relation to membership of the freemasons. At one point, my colleague and friend Bill Butler and I were accused of all sorts of chicanery and filibustering to cloud the issue. I think that Bill would deny those accusations as vigorously as I do. At one point, I was challenged to declare my interest in that particular organisation. I am happy to state categorically in the chamber, and therefore on the record, that I have never been, am not, and in all probability never will be, a member of that organisation. However, if I was, I would seriously consider not whether I would or might be influenced by that membership but whether a fair-minded and informed person would conclude that my impartiality would be, or would appear to be, prejudiced by the membership. I would do the same with membership of my local football club, my local rugby club, or indeed my local snakes-and-ladders society, if one existed. That is exactly as it should be.

If a member is found to be in breach of the members' interests legislation, that member will be in trouble. That is also as it should be. On that basis, I am happy to support the motion in Brian Adam's name.

16:12

**Donald Gorrie (Central Scotland) (LD):** We have to have a bill because the Scotland Act 1998 says that we have to have a bill. The committee has produced its report and the report reflects the general views of the committee. It forms a basis for the Parliament to consider a bill.

In this speech, I will be giving a personal view. This is not a party-political issue. My personal view is that the whole approach is seriously misguided. However, we may be driven in that direction anyway.

There is little point in bribing MSPs. We have no power. We are not like ministers or civil servants, councillors or council officials, or purchasing officials for health boards or all sorts of other organisations. Those people make decisions that can provide people with financial benefit and are therefore worth trying to bribe. We change legislation and we can try to influence ministers, but we have no direct control on the levers of

power. People who rush about trying to bribe us are therefore wasting their time.

What influences a member of the Scottish Parliament, or a member of any other organisation? The idea that a present of £300 would influence them is just rubbish. What influences people is loyalty to organisations, to causes, to professions, to voluntary groups, to the old school tie, or to friends. People are more likely to be influenced by somebody whom they regularly meet in the pub for a drink, or with whom they play golf or go to bingo. They may be influenced by pillow talk from their spouse. That has influence. In fact, one of the most sensible political commentators was the Greek comic writer Aristophanes. He wrote a comedy about Greek women wanting to influence the men in order to stop a war. They did not give them a present of a few drachmas; they had a sex strike. That is serious influence. The concentration on cash is seriously mistaken.

The next issue that I will address is the concept of the

“fair minded and informed observer”.

The concept is fine in theory, but the fact is that no such animal exists. People get their information purely from the press, in which we are denigrated day after day. Depending on the issue in question, stuff in the press is either 100 per cent lies or very distorted. It is not possible to find a

“fair minded and informed observer”.

Although such a person might exist in theory, the concept is difficult to imagine in practice.

Some of the proposals that are contained in the report are a definite improvement on the status quo. The first of those is the removal of the need to declare gifts from family members, which is a great step forward. Just because a member's wife gives him a 50<sup>th</sup> birthday present, for example, a suggestion that she is somehow corrupting him is totally demeaning to both parties.

The second improvement is the change in the need to declare future interests. I have always thought that the concept of future interests is totally bizarre; in any event, it is impossible to account for. It is a good thing that we should get rid of the need to declare such interests. The report also makes it clear that the help that outside organisations give us in the drafting of bills or amendments is perfectly okay. In the past, such offers of help have been challenged by some people.

Although there are some definite improvements, we are still wrong in having a £250 limit on presents. If someone gives us a present, are we supposed to ask what the present cost? I discussed the matter with a minister who was put

in that position on a trip abroad when a foreign dignitary gave him a token of esteem. The gift will spend the rest of its life in a drawer in the British embassy in that country. The idea that I will be corrupted by a gift that cost £300 but not by one that cost £200 is silly. It is possible to end up arguing about the value of a gift, especially if it is a gift in kind like a holiday, for example.

I turn to the question of the £25,000 shareholding. It is quite wrong to ask a partner or spouse to declare such a shareholding. Progress in recent years in the system of taxation has seen husbands and wives taxed separately—after all, they are separate people. Surely that sort of advancement is at the heart of the women's movement. Women are not chattels of their husbands; they are separate people. The idea that partners or spouses have to let other people know about their shareholdings is unacceptable.

**Stewart Stevenson (Banff and Buchan) (SNP):** I should make Donald Gorrie aware that that idea is not new. The spouses of people authorised under the financial services legislation are also covered by that legislation. At one stage, my wife and I were in the strange position by which we had to get the authorisation of each other's employers before we could even sell shares. There is nothing at all novel about the proposal. It would be a retrograde move if we were to retract from the very high standards that we have set ourselves and move to lower standards than prevail elsewhere.

**Donald Gorrie:** Fortunately, whatever we pass in the bill will not affect me as I am not standing at the next election. In any case, my wife would not agree to tell me what shareholding she has and there is no way that I would compel her to do so. Stewart Stevenson and the committee may be correct in saying that we have to go down that road, but what I am trying to say is that it is a pretty daft road to take.

We should be proportionate. We have to balance the need for transparency with the possibility of intrusion. I agree entirely with what Alex Fergusson said. Much of the interest in the subject is motivated by intrusion and tittle-tattle; it has nothing at all to do with probity. Although we need a bill, we do not have to surrender entirely to the worst elements of the press.

16:19

**Mr John Home Robertson (East Lothian) (Lab):** Tempting though it may be, I will resist the temptation of going into the committee's evidence about freemasonry. I want to raise a rather more fundamental point about the register of members' interests. It is one that echoes some of the comments that Donald Gorrie and Alex Fergusson

made. Like everybody else here, I have always strongly supported the application of high standards to the Parliament. Apart from the fact that it is the right thing to do, it should also be the best way to establish a high reputation for this Scottish Parliament. However, my concern is that the terms for the register are not confined to actual interests.

The stated purpose of the register—as quoted by Donald Gorrie—and of the parallel ministerial code is to deal with

“financial interests ... which might reasonably be thought by others to influence Members’ actions, speeches or votes”.

Some of us have learned the hard way that that sort of perception can be stretched to create illusions of sleaze where none exists. As we know, that can be a rich vein for creative campaigns by rival politicians. I do not mind that; I am a politician myself. It can also be a rich vein for destructive journalists and anybody else who wants to pitch in. That is not just standard knockabout political debate, as it can destroy decent people’s careers and damage the reputation of the whole Parliament.

I cite my own experience when I was not allowed to take any responsibility for agriculture at the Scottish Executive Rural Affairs Department when I was a minister. The fact that neither I nor my wife had for years had any remuneration whatever from a farm counted for nothing. I might have been perceived to have an interest, so I was debarred.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** John Home Robertson is referring to the ministerial code, which has nothing to do with this debate.

**Mr Home Robertson:** Yes, but it is a linked theme and I make no apologies for referring to it again. I put the point on the record on 1 November 2000, when I expressed my concern that a fresh interpretation of the code could prevent anybody with professional or business experience from bringing that experience into Government. That point still needs to be addressed.

More topically, it is absurd to pillory the First Minister’s family for a Christmas holiday and a Christmas present, which is a point to which Donald Gorrie referred. I gently advise David McLetchie that attacks on colleagues on spurious and opportunistic grounds have not been his finest hours. As I have mentioned David McLetchie, may I say that I do not believe that he has said or done anything in the Parliament as any form of paid advocacy? I defend him on that count. I find the allegations to be quite preposterous.

The underlying problem is that the current rules are wide open to fanciful constructions of

conflicting interests and those contrived perceptions are damaging the reputation of the Parliament. I suggest that the reference to imaginary conflicts of interest should be removed from the rules and that the clerks, the standards commissioner and the committee should concentrate on objective facts and the serious issue of real conflicts of interest. That is what matters. I realise that that might be difficult territory for the Standards Committee to move into, but successive press feeding frenzies have damaged the standing of the Parliament. It would be wise to give that matter some attention sooner rather than later.

Finally, I agree with Alex Fergusson’s point that ridiculously intrusive disclosure requirements could deter people whom we should be attracting to stand for public office and the Parliament.

The issues are important and we should all give them further consideration. Obviously, colleagues on the Standards Committee should give them serious consideration. Meanwhile, I am grateful to Brian Adam and I am content to support the motion.

16:24

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I welcome today’s debate on the Standards Committee report on replacing the members’ interests order. In the last session, the previous Standards Committee did a great deal of work, and we managed to get as far as producing a draft bill. We left the bill, as Brian Adam mentioned, for the incoming committee to take forward, and I am pleased that, on the whole, the new committee is content with the bill. Nonetheless, the Standards Committee rightly decided to re-examine the issues. I am also pleased that it has come to the same conclusions as we did in the previous session.

On issues such as the abolition of the ridiculous and intrusive rule about declaring gifts between spouses, and the registration of non-financial interests and interests in shares, the new committee is in firm agreement with the previous committee. That gives added strength to the arguments for reform.

I will go into more detail about the proposed reforms. Reforming the test to be applied is an interesting step forward. As the committee says:

“It will be for each Member to ask themselves, not whether they would or might be influenced by the interest but, whether a fair minded and informed observer would conclude that their impartiality would be or appear to be prejudiced by the interest.”

That could be considered a real improvement on the current position. However, I am not convinced that everyone will think so, because I do not

believe that any MSP would consider themselves not to be a fair-minded and informed observer. Will anything change practically? I am not so sure.

The move to include non-financial interests as well as financial interests is a major step and tightens up the regulations further. Members must be under no illusions; the move extends the rules of the members' interests order but, at the same time, gives real weight to the founding principles of the Parliament of transparency and openness, as outlined by Brian Adam.

Although I welcome almost everything in the report, I sound a note of caution. Paragraph 28 of the report states:

"The Committee considers it to be good practice for Members to declare interests in dealings outwith Parliament".

We must be careful to explain exactly what we mean by that. Do "dealings" simply mean parliamentary duties? If so, we must say so clearly; otherwise we open up the definition of members' interests extremely widely, which I do not believe is the committee's intention.

I turn to an issue that John Home Robertson raised, which is not in the report: the registration of overseas visits. That is not in the report because the current and the previous Standards Committee both examined the issue and decided against altering the provision for good reasons. It is absolutely clear that if an overseas visit is undertaken for any reason and is not paid for wholly by the member, his family, the Executive or the Parliament, it must be declared. The reason for that is straightforward and obvious. Our code of conduct also states that where such registration is required, the member should provide details of the dates, destination and purpose of the visit and specify the individual who met any of the costs—end of story.

I believe that the Standards Committee has got it right. Bearing in mind the one point of clarification that I have sought about declaring interests in dealings outwith Parliament, the Parliament should agree the motion.

**Brian Adam:** I am happy to clarify the point for the member. "Dealings outwith Parliament" means dealings in connection with parliamentary duties. That will be made clear in the bill.

**Mike Rumbles:** I thank the convener of the Standards Committee for that; that point was important. We have to be absolutely clear. Clarity in the bill is fundamental, so the point is appropriate. Parliament should agree the motion without division and press on with the bill as soon as possible, because it is long overdue.

16:28

**Bill Aitken (Glasgow) (Con):** This debate is all about balance and what is right. The other evening I was showing a party round the chamber when I noted that the words on the mace encapsulate what we should be thinking about today: compassion, justice, integrity and wisdom. I have been known to question the wisdom of a great many of my parliamentary colleagues and I will continue to do so, but I have never had occasion to question their integrity. Given that we now live with Caesar's wife syndrome, I suppose that we have to demonstrate that we are whiter than white, as a matter of self-preservation apart from anything else.

In this afternoon's debate, several members outlined the way in which life is becoming rather more difficult than it used to be and there is a real sense of intrusion. I endorse totally the views that were expressed by John Home Robertson and Donald Gorrie in that respect. We are entitled to some privacy and most of us and most of the population of Scotland would be consumed with indifference as to what Christmas presents members of the Scottish Parliament and Executive ministers got from their spouses. The next thing that people will want to know is the colour of the socks that I get for Christmas. We must have an element of realism and balance.

I take issue with Donald Gorrie in one respect, however. I think that MSPs should have to declare interests, especially financial interests. Sometimes—not often—MSPs have the opportunity to influence the placing of contracts. Yesterday, in a riveting debate, we discussed the placing of Edinburgh tramline number 2 and I moved a motion that the Parliament agreed. If I had had a serious financial interest in an Edinburgh company of civil engineers that might have benefited from the work that we were discussing, the public would have expected me to declare that interest.

Alex Fergusson, in a typically measured and reasonable speech, highlighted how the committee will move forward with particular inquiries and legislation if today's motion is agreed—of course, I anticipate that the chamber will be unanimous in that regard. We must recognise, however, that sometimes we are attempting to be a little bit too prescriptive. Again, John Home Robertson highlighted a difficulty that arises quite frequently nowadays, which is that people who in a previous existence have gathered a degree of expertise and knowledge are precluded from participating in parliamentary discussions on those matters, even though they might be able to let the rest of us know what is going on in that field. We must further consider that.

The issues in this debate are matters of common sense in terms of what is reasonable and what the public perception should be. We should go ahead with the proposed replacement of the members' interests order but we should not be inhibited about saying that MSPs are entitled to a degree of privacy and that the press and the public should not be too intrusive because, at the end of the day, that will have a negative effect on the quality of people who are prepared to take part in public life.

**The Presiding Officer:** We are about six minutes light at the present time, so members can take more time if they so wish.

16:32

**Tricia Marwick (Mid Scotland and Fife) (SNP):** First, I apologise on behalf of my colleague, Linda Fabiani, who was supposed to be taking part in this debate but who is, unfortunately, ill at the moment. However, she assures me that she will be back in time for the members' business debate on the motion in her name, so people should not panic.

I welcome the opportunity to speak in the debate. The current transitional arrangements were imposed on the Scottish Parliament under the Scotland Act 1998 and it was always expected that the Scottish Parliament would put in place its own members' interests legislation. That is why we are debating this issue today.

Of course, this is not the first debate on the subject; a debate was held in October 2002, when the previous Standards Committee proposed a bill to replace the members' interests order. It is a matter of great regret that the necessary legislative time was not found to get that bill on to the statute book before 2003. The Parliament might have saved itself some grief if that parliamentary time had been found.

The new Standards Committee has, quite rightly, reviewed the initial work that was done by the previous Standards Committee and has produced its own report, which we are debating today. I will deal with some of the issues that it raises.

The requirement to register gifts over the cost of £250 from spouses is an unnecessary and unwelcome infringement of personal life. The proposal to remove that requirement is welcome and long overdue. I remember discussing the subject with Karen Gillon way back in 2001. I cannot think why the requirement was included in the transitional order in the first place.

The present provisions on paid advocacy are too wide and could prevent support being given to a member's bill. There is a fatal flaw in the present

transitional arrangements: there is no connection between the amount of support that is given and any personal benefit to an MSP. That must and will be addressed by the proposed bill. I welcome the committee's view that paid advocacy only takes place where there is a connection between the receipt of a benefit that represents a personal gain to the member and that member undertaking action as an MSP. That clarity is welcome and will be much needed when we come to debate the bill.

I have long argued that non-pecuniary interests can be at least as important as pecuniary interests and welcome the tests that will apply. Members should be required to register a non-pecuniary interest that a member of the public could reasonably think might influence their actions as an MSP. I remember the avalanche of mail that I got and the many press criticisms to the effect that I was trying unreasonably to vilify freemasons. The issue was never about freemasons; it was about recognising that membership of outside organisations, particularly in village Scotland, is at least as important as pecuniary interests.

**Alex Fergusson:** I accept what Tricia Marwick has just said, but does she accept, in the context of what I said during my contribution, that that particular organisation engenders a reaction peculiar to itself, and that there is a great danger for a potential witch hunt that should be resisted at all costs?

**Tricia Marwick:** I agree, but we need as much transparency as possible, and it is in everyone's interests to declare their non-pecuniary interests—voluntarily or under legislation such as that which we are proposing—whether that be membership of clubs, the freemasons, a football club or whatever. A clear message should go out that this is not about picking out the freemasons; it is about acknowledging that non-pecuniary interests are as important in the Parliament as pecuniary interests.

I strongly believe that the members' interests order should have been replaced before the 2003 election to allow the new rules to be in place for the new intake of members. I regret that the parliamentary time was not available. I urge the Parliament to approve the proposal and impress on all business managers—there are at least four sitting in the chamber today—the need to ensure that this committee bill gets to Parliament as quickly as possible and gets through the system as a matter of urgency. Notwithstanding the need for proper scrutiny, we must not delay any longer because there is confusion about the issue and it is in the interests of all members that we have an order that will guide and protect MSPs and will also ensure that the people of Scotland have faith in the institution that is our Scottish Parliament.

16:38

**The Minister for Parliamentary Business (Ms Margaret Curran):** I am of course pleased to have the opportunity to speak in this afternoon's debate. The Executive acknowledges that the Standards Committee report is a matter for the whole Parliament. Consideration by the Parliament, as required by the Scotland Act 1998, of an appropriate legislative framework to govern members' interests is a very important issue for the Parliament but also for the Executive. As members, we need to ensure that we provide for proper standards.

Today we are considering measures that seek to ensure that Scotland can be confident that its MSPs are meeting the highest standards of propriety and integrity as they undertake their parliamentary duties. The measures seek to ensure above all that the electorate is left in no doubt that its elected representatives act on its behalf and in its interests. That is an essential aspect of underpinning Scottish public confidence in devolution and embedding confidence in all the policies that devolution can promote for Scotland, which are delivered by the Parliament.

The Executive has followed the work of the Standards Committee in its development of the recommendations that are set out in its report on members' interests. On behalf of the Executive, I would like to offer our thanks and gratitude to committee members for their careful and thorough consideration of a significant issue. I want to pay tribute to the work of Brian Adam, who I think has won the respect of members in progressing the committee's proposals. That will be significant as he takes through the bill. I am sure that all members of the Parliamentary Bureau would wish to offer Brian Adam their full co-operation as he steers through what is a challenging set of proposals.

As Brian Adam said, the Scotland Act 1998 requires that provision be made for the registration of members' interests. Although that is the primary driver behind the committee's work, the Executive recognises that the committee thinks that there is a practical need to improve on the statutory registration framework that is set out in the members' interests order.

When the Standards Committee's predecessor committee began its work, it had the aim of striking a balance between the need to respect individual privacy and the need to ensure transparency and high standards of probity. It was right and proper that it had regard to the core consultative steering group principles of openness and accountability. It is important that we marry the strong commitment to openness and accountability that came to fruition in the setting up of the Parliament to the proposals that we produce.

When the committee's predecessor committee published its proposals for reforming the registration framework in 2002, the Executive indicated its support. The current committee has had the opportunity to give further consideration to those proposals. In that work, it has been informed by the draft bill that was, as has been said, a legacy of the work of its predecessor committee. The committee is focusing on practical and procedural aspects and, in so doing, is seeking to maximise the effectiveness of any new arrangements for all concerned. That is a key test. Any new procedures should be effective and should work in all our interests.

The Executive welcomes and appreciates the Standards Committee's work. We acknowledge the proposals' many strengths and the value of the committee's efforts. The objective influence test is perhaps one of the most significant reforms that the committee has proposed. The attachment of that test to the registration of gifts, non-pecuniary interests—I am glad that I am not alone in finding that difficult to say—and ceased interests represents an obvious improvement on the present statutory framework. It is accepted that the fact that there is no qualification to the requirement that all gifts that have a value of more than £250 be registered means that gifts that are completely outwith the public interest must be registered. *[Interruption.]* Members will be glad to know that I have not been shot. The report recognises that that represents unreasonable interference with a member's family and private life.

We have been through an interesting period and have had stimulating debates about standards and the importance that they play in our public life.

**Tricia Marwick:** Given the interest of the media in all matters to do with standards and MSPs, is the minister as surprised as I am that not a single member of the media is listening to the debate?

**Ms Curran:** I do not think that I am as surprised as Tricia Marwick is that that is the case, although perhaps she is not surprised. That is a comment on some of the standards in public life. One could argue that the debate about standards should not be about just MSPs' standards and that we should also be talking about standards in relation to press activity. There will now be something unflattering about me in tomorrow's papers.

Tricia Marwick's timing was perfect, because I was just about to refer to the experiences that individual members have had recently. I do not intend to attack or defend any of the behaviour in question, but I think that there is a shared agenda in the Parliament about the importance of the need to introduce procedures that are clear and that allow us to strike a balance between the right of members to an element of privacy in their family lives and in the normal activities in which families

take part, and their responsibility to work in the public interest in a fully open and transparent way. We must ensure that the new proposals work in a meaningful way. As Alex Fergusson said, we do not want them to be used to indulge those who wish to do mischief or to be used inappropriately. We must ensure that they are applied consistently. I do not think that it is too big an aspiration to have standards that are transparent, that lead to high levels of probity and that ensure that members are treated fairly and reasonably.

The committee's recommendations on the registration of gifts maintain transparency but ensure that gifts that can reasonably be deemed to prejudice a member's impartiality must continue to be registered.

Similarly, the Executive acknowledges the committee's thoughtful contribution on non-pecuniary interests. Again, the objective test will ensure that such interests are registered when appropriate, without the need to define and monitor complex or ambiguous rules or require members to make unreasonable judgments.

The Standards Committee's considerations and consultations ensure that we will address the additional issues that require consideration. Although members of all parties support the proposals as a clear improvement, there has been a sense during the debate that a degree of further thinking is required. Members of all parties have suggested that we need to think a bit more about some of the detail—I refer to the points that John Home Robertson made about some of the recent experiences of members—and I re-emphasise the need for appropriate balance.

I hope that the committee will consider those matters. I assure the committee's convener, Brian Adam, that he will have the Executive's full co-operation and that I will co-operate in my role as business manager.

The standards to which elected members in the Parliament must adhere are critical. It is a matter of great importance to ensure that members operate to the highest standard and that the Scottish public have confidence in members' probity, motives and practice. In carrying out our duties, we must work, and be seen to work, in the interests of our constituents and the Scottish public without undue influence. In establishing the proposed measures, we must strike a balance between ensuring robust standards and ensuring that members can live a normal life and maintain some degree of privacy. I argue strongly that we become better members of the Parliament and get better at our jobs by living normal lives, because thereby we understand life more effectively. Therefore, I welcome the committee's work in introducing the proposals and look forward to working to ensure proper progress for the

committee bill. I recognise the improvement that the proposals will make, although some further thinking is required, and I have no doubt that they will benefit the Parliament as a whole.

**The Presiding Officer:** I call Brian Adam. You have up to 12 minutes, Mr Adam. If you cannot manage that, I will suspend briefly.

16:47

**Brian Adam:** That is a poisoned chalice, Presiding Officer: if I fill the 12 minutes, I am longwinded and boring.

I thank my colleagues for their contributions to the debate. Although the committee has developed a policy that would inform the drafting of a bill, such a bill has not yet been drafted, so, if members now wish to raise points that they did not raise over the past year in spite of being encouraged to do so, I encourage them to send them to me.

**Mark Ballard (Lothians) (Green):** A point that several respondents to the committee appeared to raise was whether gifts were cumulative: whether a gift of £249 one day would come below the £250 threshold if it were followed by a further gift of £249 the next. Will Brian Adam confirm that the current situation is that gifts are cumulative and that any provisions on gifts in the bill will ensure that gifts remain cumulative?

**Brian Adam:** I am grateful to Mark Ballard for raising that issue. The members' interests order is not the only thing that governs members' behaviour; it is also governed by the "Code of Conduct for Members of the Scottish Parliament", which addresses the point he raises. The code of conduct specifically says that it is advisable—not mandatory—that cumulative gifts from individual donors be registered. It is possible that we could deal with that issue in drafting the bill. We would be happy to consider that and other issues. The earlier we get responses, the better.

**Alex Fergusson:** I will intervene to help the convener fill his time—I am consensual as always. Further to the point that Mr Ballard made, at the end of the day an element of common sense will surely prevail with such matters. The simple rule is, "If in doubt, register it."

**Brian Adam:** I absolutely concur with what the member says. Even our new objective test depends on the judgment of members. We have to rely on good judgment on such matters. If individual members exercise poor judgment, they may be reported to the standards commissioner and they may have to appear before their peers on the Standards Committee, where they will be subject to that committee's judgment initially and then to the judgment of the whole Parliament.

**Stewart Stevenson:** I wonder whether the member recalls the series, “Yes, Minister”. One of the early things that Jim Hacker had to deal with was freedom of information. His advice was that we should always freely and frankly tell the press and public anything they can discover by any other means. Does the member agree that that is exactly what we want to avoid here: that we must create a culture of positive engagement with the issues and an understanding of the attitudes of the public and the media and that we must protect ourselves from their taking actions that subsequently show us in a poor light?

**Brian Adam:** Part of today’s helpful debate highlighted the polarised position that is exemplified by John Home Robertson and Donald Gorrie on one side and by many individual correspondents on the other, who might want us to declare every gift, with everything going into the public domain. The view of Donald Gorrie and John Home Robertson is that we have gone too far. As amusing as “Yes, Minister” was, Stewart Stevenson’s point is extremely valid. We must strike an appropriate balance.

We must bear in mind the fact that the Standards Committee has spent the best part of a year on the matter and that the previous Standards Committee spent a similar amount of time on it. If the issue is larger than the one that has been dealt with in the report, or if there is a change in policy, we will not be able to deal with that in drafting the proposed committee bill. Like all bills, however, the proposed bill will be open to amendment at the various stages that it will go through.

I might not have given Mr Rumbles an absolutely accurate answer to the question he put to me, but I am now going to give it to him. The point about paragraph 28 is that the

“interests in dealings outwith Parliament”

are not something to be covered by the bill. I suppose that that was Mr Rumbles’s point. That matter should instead be covered under the revised code of conduct, and I remind members that the code of conduct is just as important as the members’ interests order.

**Mike Rumbles:** I am now a little more confused about the issue. The point that I was making about the use of “dealings”—[*Interruption.*]

**The Presiding Officer:** Order. I am sorry, but we cannot hear what Mr Rumbles is saying. [*Applause.*]

**Mike Rumbles:** Thank you for that, Presiding Officer. In—

**Brian Adam:** Rather than have Mr Rumbles fill up any more of the Parliament’s time, perhaps I can tell him that that refers to parliamentary duties.

**Mike Rumbles:** That is fine.

**Brian Adam:** I was accurate about that. It was whether that was to be covered in the proposed bill that I did not quite get right earlier.

**Mike Rumbles:** Oh, I do enjoy this knockabout.

**Brian Adam:** On the point that Bill Aitken raised, there is nothing in the bill or the code of conduct that prevents members from participating in parliamentary debates, provided they declare their interests.

On the timetabling issue that Tricia Marwick was rightly concerned about and on the fact that there has not been much interest in the media, I emphasise that the process will not happen next week. It will take some time, and we expect it to be concluded in the early part of next year. It will take some time to draft the bill. Then, the bill will have to be introduced.

Initially, the bill will be dealt with by the Finance Committee. I hope that an ad hoc committee will then be set up to consider it at stage 2. It will then come back to a Committee of the Whole Parliament for stage 3. That process will happen in the latter part of this year and the early part of next year. A little time will also be required to address the details and how the Presiding Officer’s office and so on will be involved. Therefore, we envisage implementation not taking place until after the next Scottish parliamentary elections.

It is disappointing that the media have not taken much interest in the debate. Their great interest in approaching the convener of the Standards Committee and possibly other members of the Standards Committee about individual issues has been quite interesting over the past few weeks, but perhaps they have a little less interest in general matters.

It is vital that members understand what is expected of them and that the system is not overly bureaucratic. It is also important that the requirements that we make of members are not designed to trip them up—that is not the point of having such legislation. We would like members to be as open as possible about their interests as far as they may influence their actions and behaviour in the Parliament, but we do not want to create situations in which members can be beaten with a stick because provisions can be exploited by others in some kind of point-scoring match. That was never the intention of the members’ interests order, which is—and rightly should be—about safeguarding the interests of the electorate from the worst forms of corruption and abuse.

We have a code of conduct—to which I have referred—and an independent standards commissioner. The consequence of changes to the members’ interests order is that we must



revise the code of conduct. I give members—especially members who have started to express concerns about the work that has been done—fair warning now that they will have the opportunity in the next few weeks to raise their concerns about the wider issues relating to the code of conduct. I encourage members to engage in the debate. If members do not do so, we will not be informed.

Many changes that I hope will be implemented are the result of our experiences. Members will have had good and bad experiences with the process and they should take the opportunity to consider those experiences and let us know about them. In the next week or two, members will receive from the Standards Committee a letter about the code of conduct.

I do not think that we have a culture of sleaze in Scotland. There have been complaints about members and some of those complaints have received a lot of attention—particularly in the press—but complaints that have been considered to date by the committee have not been about the probity of members. That is worth bearing in mind when we consider what provisions should be in any new legislation.

In drafting any parliamentary code, the aim is to have clarity and proportionality. It is vital that members understand what is expected of them and that the system is not overly bureaucratic and does not become an administrative burden. The rules will command respect if they are clear and proportionate. I hope that our proposals have achieved that.

## Disability Discrimination Bill

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of motion S2M-2264, in the name of Malcolm Chisholm, on the Disability Discrimination Bill, which is United Kingdom legislation.

*Motion moved,*

That the Parliament agrees the principles contained in the provisions of the Disability Discrimination Bill, including the power to impose duties on public authorities, so far as those provisions relate to matters within the legislative competence of the Scottish Parliament or confer functions on the Scottish Ministers, and agrees that they should be considered by the UK Parliament.—[*Malcolm Chisholm.*]

16:59

**Ms Sandra White (Glasgow) (SNP):** I say to the Parliament and to Mr Chisholm that we recognise the fact that, for the time being, sections of the bill pertain to reserved matters. We also recognise that it puts equality duties on public authorities and that certain modes of transport have been removed from part 3 of the bill. For those reasons, we will not oppose the bill.

16:59

**The Minister for Communities (Malcolm Chisholm):** I think that that was a message of support. It means that the SNP at last recognises that, like so many other Sewel motions, this motion confers powers on the Scottish ministers. There is a new duty for Scottish public bodies to promote equality of opportunity for disabled people. I am glad that the Equal Opportunities Committee approved the motion in its deliberations.

**Cathy Peattie (Falkirk East) (Lab):** As the minister is aware, the Equal Opportunities Committee took evidence on the bill from Capability Scotland, the Disability Rights Commission, Enable and Inclusion Scotland. They all welcomed the bill and stressed the importance of our approving a Sewel motion to ensure that the bill goes through the Westminster Parliament as quickly as possible.

**Malcolm Chisholm:** In the light of representations from the commission and others, we intend to strengthen the measure further by broadening it to include a requirement that public authorities have due regard to the need to promote positive attitudes towards disabled people and the need to encourage participation by disabled people in public life.

**The Presiding Officer:** Thank you. The question on the motion will be put at decision time.

## Business Motions

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of business motion S2M-2448, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a timetable for stage 1 completion of the Abolition of NHS Prescription Charges (Scotland) Bill. I ask any member who wishes to speak against the motion to press their request-to-speak button, and I call Margaret Curran to move motion S2M-2448.

*Motion moved,*

That the Parliament agrees that consideration of the Abolition of NHS Prescription Charges (Scotland) Bill at Stage 1 be completed by 22 December 2005.—[*Ms Margaret Curran.*]

17:02

**Colin Fox (Lothians) (SSP):** As I intimated to the Presiding Officer, I ask the Parliament to oppose the motion, which seeks to delay Parliament's consideration of my member's bill to abolish NHS prescription charges.

Members should be aware that the bill, which was originally lodged in June 2003, now faces a two-and-a-half-year wait for a stage 1 debate. That is a ridiculous length of time that sends an unwelcome signal that members' bills, which have an important role to play in the Parliament, are not treated with any sense of urgency. The motion means that the Health Committee would sit with this important bill in its in-tray for a year. I understand that the Health Committee has a lot of hard work to do; the question is, what priority is given to members' bills? The answer is clearly not very high priority, of which the motion is evidence.

Either this type of timetable is standard, in which case there is a prima facie case for establishing two health committees, as we did for justice, or it is not standard, in which case all the committee's other work is taking priority over my bill. Members who have presented or are presenting their bills to Parliament will acknowledge that the process is difficult enough and that the resources that are available are already scant. Delays such as this are, therefore, completely unacceptable. If the scheduling of my bill is typical, it means that there is little chance of members' being able to pursue more than one proposal in the course of a parliamentary session.

Furthermore, the bill has had to navigate the change in rules that was introduced by the Procedures Committee. All members' bills have faced that change since the beginning of this second session of Parliament. We started out playing football only to see the rules changed to rugby halfway through. Now, the game appears to

have been postponed for a year. I would hate to draw the conclusion that the bill has been put on the equivalent of the parliamentary slow boat to China simply because it is sponsored by an SSP MSP, but that is a difficult conclusion not to draw.

I put to the minister what I believed to be a reasonable alternative, which sought to bring forward the timetable by two months. I ask back-bench MSPs in particular to protect our right to introduce bills into the parliamentary timetable, I ask Parliament to reject the motion and I ask the minister to come back with an acceptable alternative.

17:04

**The Minister for Parliamentary Business (Ms Margaret Curran):** I am disappointed by Colin Fox's speech, as he was a bit more constructive at the Parliamentary Bureau. I make it clear to Parliament that I am speaking on behalf of the bureau. It was not the minister who challenged the timetable that Colin Fox proposed, but the Health Committee. The deputy convener of the committee was at the bureau, speaking on behalf of the convener as well. I also make it clear that the views that I am about to articulate were widely held across the parties in the bureau. Colin Fox is looking for a political agenda that does not exist. I would have thought that he has enough political problems without having to search for some more.

In coming to its decision, the bureau listened carefully to the arguments that were put to it, including the views of the member. We take the role of members' bills seriously and want to ensure that members' bills are given appropriate support. People should not interpret our attempt to manage the legislative programme and all the Parliamentary Bureau's demands as evidence of a personal agenda against them. That leads to people getting things out of perspective.

We have been influenced by the argument that the Health Committee's workload is significant and we have been persuaded that the committee is dealing with this bill in the same way as it has dealt with others. Given those persuasive arguments, it would be remiss of the bureau to cut across the Health Committee's work. We would do that only if there were a forceful argument for doing so. As we did not hear any such argument at the bureau meeting, I ask the chamber to support the bureau this afternoon.

**The Presiding Officer:** The question is, that business motion S2M-2448, in the name of Ms Margaret Curran, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 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)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 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)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)

Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Sheridan, Tommy (Glasgow) (SSP)

**ABSTENTIONS**

MacDonald, Margo (Lothians) (Ind)

**The Presiding Officer:** The result of the division is: For 99, Against 13, Abstentions 1.

*Motion agreed to.*

That the Parliament agrees that consideration of the Abolition of NHS Prescription Charges (Scotland) Bill at Stage 1 be completed by 22 December 2005.

**The Presiding Officer:** The next item of business is consideration of business motion S2M-2449, in the name of Ms Margaret Curran on behalf of the Parliamentary Bureau, setting out a timetable for legislation.

*Motion moved,*

That the Parliament agrees—

(a) that the Justice 1 Committee report to the Justice 2 Committee by 4 March 2005 on the draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2005;

(b) that the Justice 1 Committee report to the Justice 2 Committee by 4 March 2005 on the draft Advice and Assistance (Financial Conditions) (Scotland) Regulations 2005; and

(c) that the Justice 1 Committee report to the Justice 2 Committee by 4 March 2005 on the draft Civil Legal Aid (Financial Conditions) (Scotland) Regulations 2005.—[*Ms Margaret Curran.*]

*Motion agreed to.*

## Point of Order

17:07

**Mr Alasdair Morrison (Western Isles) (Lab):** On a point of order, Presiding Officer.

**The Presiding Officer (Mr George Reid):** Yes, I will take it now, Mr Morrison.

**Mr Morrison:** Thank you, Presiding Officer.

During my speech this morning in the Green party debate on identity cards, a member of this Parliament, Michael Rumbles, accused me from a sedentary position of being a fascist simply because I was articulating and expounding my party's legitimate position on ID cards. Presiding Officer, do you agree that this use of intemperate and highly inappropriate language is reprehensible; is to be deplored and is worthy of censure and referral to the Standards Committee for its deliberations?

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** On a point of order, Presiding Officer.

**The Presiding Officer:** I take it that this is further to the initial point of order, Mr Rumbles.

**Mike Rumbles:** It is indeed, Presiding Officer.

If anyone heard the remark that I made to Mr Morrison, they will recall that I said that those comments were almost fascistic. If he wishes to interpret that in a different way, that is entirely up to him.

**The Presiding Officer:** The charge is serious, and I have to say that neither I nor the clerks who were in the chair this morning actually heard such remarks being made. I am afraid that, in those circumstances, I cannot censure. However, I seriously remind members of their obligation—indeed, their duty—to use courteous and respectful language in the chamber at all times.

**Mr Morrison:** Further to the point of order, Presiding Officer. I will happily provide the names of people who actually heard the remark. Indeed, one of Mr Rumbles's party colleagues has confirmed to me that he used that intemperate phrase.

**The Presiding Officer:** I can act only on what is in the *Official Report* and what was heard. We will look at the *Official Report*.

**Mike Rumbles:** Can I—

**The Presiding Officer:** I think that, in light of my comments about the obligation and duty to be respectful and courteous, it would be in the interests of Parliament to leave the matter at that point at this stage.

## Decision Time

17:09

**The Presiding Officer (Mr George Reid):**

There are 11 questions to be put as a result of today's business. The first question is, that amendment S2M-2462.1, in the name of Jim Wallace, which seeks to amend motion S2M-2462, in the name of Shiona Baird, on an energy efficiency strategy in Scotland, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 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)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 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, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 McLetchie, David (Edinburgh Pentlands) (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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Sheridan, Tommy (Glasgow) (SSP)

**ABSTENTIONS**

MacDonald, Margo (Lothians) (Ind)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

**The Presiding Officer:** The result of the division is: For 106, Against 6, Abstentions 2.

*Amendment agreed to.*

**The Presiding Officer:** The second question is, that amendment S2M-2462.3, in the name of Christine Grahame, which seeks to amend motion S2M-2462 in the name of Shiona Baird, on an energy efficient strategy in Scotland, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

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)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 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)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)

Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 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)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Purvis, Jeremy (Tweeddale, Etrick 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, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 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**

Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 MacDonald, Margo (Lothians) (Ind)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)

**The Presiding Officer:** The result of the division is: For 28, Against 78, Abstentions 8.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that amendment S2M-2462.2, in the name of Alex Johnstone, which seeks to amend motion S2M-2462, in the name of Shiona Baird, on an energy efficient strategy in Scotland, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 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)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

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)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fox, Colin (Lothians) (SSP)  
 Glen, Marlyn (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, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)

Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Purvis, Jeremy (Tweeddale, Ettrick 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)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**ABSTENTIONS**

MacDonald, Margo (Lothians) (Ind)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

**The Presiding Officer:** The result of the division is: For 36, Against 76, Abstentions 2.

*Amendment disagreed to.*

**The Presiding Officer:** The fourth question is, that motion S2M-2462, in the name of Shiona Baird, on an energy efficient strategy in Scotland, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 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)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fox, Colin (Lothians) (SSP)  
 Glen, Marlyn (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, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Purvis, Jeremy (Tweeddale, Ettrick 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)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 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)

#### ABSTENTIONS

Aitken, Bill (Glasgow) (Con)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 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)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 76, Against 1, Abstentions 37.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament believes that energy efficiency has great potential to improve efforts to tackle climate change and fuel poverty and to improve quality of life and increase competitiveness of businesses in Scotland; agrees that energy efficiency has a key part to play in meeting the Scottish Executive's target of eradicating fuel poverty in Scotland by 2016; further agrees that more than half the emissions reductions in the United Kingdom's climate change programme could come from energy efficiency, as stated in the UK Energy White Paper, and commends the Executive for its current initiatives to improve energy efficiency and for its move towards a national strategic approach to energy efficiency as outlined in its climate change consultation.

**The Presiding Officer:** The fifth question is, that amendment S2M-2463.4, in the name of Alasdair Morrison, which seeks to amend motion S2M-2463, in the name of Patrick Harvie, on identity cards, be agreed to. Are we agreed?



**Members: No.**

**The Presiding Officer:** There will be a division.

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 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)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 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)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Brown, Robert (Glasgow) (LD)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)

Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Neil, Alex (Central Scotland) (SNP)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**ABSTENTIONS**

Gallie, Phil (South of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

**The Presiding Officer:** The result of the division is: For 46, Against 65, Abstentions 2.

*Amendment disagreed to.*

**The Presiding Officer:** The sixth question is, that amendment S2M-2463.1, in the name of Stewart Stevenson, which seeks to amend motion S2M-2463, in the name of Patrick Harvie, on identity cards, 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)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 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)  
 Gallie, Phil (South of Scotland) (Con)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**ABSTENTIONS**

Aitken, Bill (Glasgow) (Con)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Brown, Robert (Glasgow) (LD)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lyon, George (Argyll and Bute) (LD)  
 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)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (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, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 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)

**The Presiding Officer:** The result of the division is: For 36, Against 48, Abstentions 30.

*Amendment disagreed to.*

**The Presiding Officer:** The seventh question is, that amendment S2M-2463.3, in the name of Jeremy Purvis, which seeks to amend motion S2M-2463, in the name of Patrick Harvie, on identity cards, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Brown, Robert (Glasgow) (LD)  
 Gorrie, Donald (Central Scotland) (LD)  
 Lyon, George (Argyll and Bute) (LD)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (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)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 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)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**ABSTENTIONS**

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)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (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)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 15, Against 62, Abstentions 37.

*Amendment disagreed to.*

**The Presiding Officer:** The eighth question is, that motion S2M-2463, in the name of Patrick Harvie, on identity cards, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

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)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)

Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Margo (Lothians) (Ind)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 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)  
 Gallie, Phil (South of Scotland) (Con)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Brown, Robert (Glasgow) (LD)  
 Gorrie, Donald (Central Scotland) (LD)  
 Lyon, George (Argyll and Bute) (LD)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (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)

**The Presiding Officer:** The result of the division is: For 52, Against 47, Abstentions 15.

#### *Motion agreed to.*

That the Parliament notes the Identity Cards Bill currently being considered by the Westminster Parliament; is concerned at the lack of time devoted to the scrutiny of this Bill, which has left important questions unanswered over how the identity card scheme will work in practice; believes the proposals to be flawed on political, technical and financial grounds; is concerned that the national identity card and database offer an ineffective response to problems of security and fraud and pose an unacceptable threat to civil liberties; notes that the current cost estimate for the scheme is £5.5 billion and that further escalation of this cost is expected; rejects the Prime Minister's belief, stated on 1 December 2004 in the House of Commons, that "it is legitimate and right, in this day and age, to ask people to carry identity cards" which appears to go far beyond the current scope of the Bill and would require the consent of the Scottish Parliament; welcomes the Scottish Executive's position that identity cards will not be required to allow access to devolved public services, and calls on the Executive to make a full statement on the intended use of the identity database by devolved institutions.

**The Presiding Officer:** The ninth question is, that motion S2M-2418, in the name of Iain Smith, on a final review of oral questions and minor rule changes, be agreed to.

#### *Motion agreed to.*

That the Parliament (a) notes the Procedures Committee's 2nd Report, 2005 (Session 2), *Final Review of Oral Questions* (SP Paper 287) and agrees that the changes to standing orders set out in Annex A to the report be made with effect from Friday 18 March 2005, but that the current Rules 13.6 and 13.7 continue to have effect for the purposes of any Question Time in the week beginning Monday 21 March 2005; and (b) notes the

Committee's 1st Report, 2005 (Session 2), *Minor Rule-changes* (SP Paper 271) and agrees that the changes to standing orders set out in Annex A to the report be made with effect from 18 March 2005.

**The Presiding Officer:** The 10<sup>th</sup> question is, that motion S2M-2417, in the name of Brian Adam, on a proposal for a committee bill, be agreed to.

*Motion agreed to.*

That the Parliament agrees to the proposal for a Committee Bill under Rule 9.15 contained in the 1st Report 2005 (Session 2) of the Standards Committee, *Replacing the Members' Interests Order* (SP Paper 266).

**The Presiding Officer:** The 11<sup>th</sup> question is, that motion S2M-2264, in the name of Malcolm Chisholm, on the Disability Discrimination Bill, which is United Kingdom legislation, be agreed to.

*Motion agreed to.*

That the Parliament agrees the principles contained in the provisions of the Disability Discrimination Bill, including the power to impose duties on public authorities, so far as those provisions relate to matters within the legislative competence of the Scottish Parliament or confer functions on the Scottish Ministers, and agrees that they should be considered by the UK Parliament.

## Scottish Civic Forum

### **The Deputy Presiding Officer (Murray Tosh):**

The final item of business this evening is a members' business debate on motion S2M-2384, in the name of Linda Fabiani, on the Scottish Civic Forum. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament notes the concerns raised about the financing of the Scottish Civic Forum; further notes that the forum was set up to help fulfil the founding principles of the Parliament and, in particular, the engagement of Scotland's people in the new democracy; considers that all those who have an interest in the open democracy heralded in 1999 should act to ensure a continued and healthy future for the forum, and believes that the Scottish Parliamentary Corporate Body should investigate the possibility of funding the forum directly.

17:21

**Linda Fabiani (Central Scotland) (SNP):** This Parliament was founded on four principles. The principle of openness means that our deliberations here in the chamber and in committee should be as widely seen as possible, with no one having difficulty in finding out about them. The principle of accountability means that this Parliament belongs to the people of Scotland and should have to report to the people of Scotland for the actions that it undertakes. Similarly, that principle means that the Executive should be accountable to the Parliament and, thereby, to all of Scotland. The principle of equal opportunities means that we should strive to ensure that everyone has a chance to work with and in their Parliament to advance Scotland, and that there should be no equivocation as a result of differences. Finally, the principle of engagement with the Scottish people means that the Parliament belongs to all of us, not just to the politicians who work here for a short time, and we should always remember that.

Those are precious and valuable principles on which the electorate voted to create, or recreate, this Parliament in 1997, and they should underpin our democracy now and in the future. We should all be looking to protect and expand the opportunities that exist for people to become involved, driving those principles forward just as they should be driving us forward. There should be no reversing and no cutting back on the very foundations of the institution that we are privileged to work in.

The work done by the Scottish Civic Forum has adhered to those principles, ensuring that our Parliament does in fact belong properly to us all. I point to the forum's work in ensuring that briefings on the work of the Parliament are available to all, pushing forward the openness part of the agenda.

The same is true when it comes to providing briefings on the legislation that is being proposed. The forum encourages groups and individuals to engage with the legislative process, and its network of local co-ordinators has been highly successful in my area and in other areas. The forum actively encourages responses to consultations, allowing those with an interest to have their voices heard.

In other words, the Scottish Civic Forum is driving the public engagement that we keep hearing that all politicians want. Perhaps, indeed, it is engagement with the political process, rather than the party-political process, that will drive voter turnout back up. Perhaps the Scottish Civic Forum, properly resourced, could be the vehicle that helps to reignite the spark of public political debate and enthusiasm here in Scotland. For example, the forum's discussion on discrimination has been so successful in terms of participation that it now has its own website. How often do we say that we want to encourage public participation and how often do we actually manage to get a response? How much does the Executive spend on its consultations and what are the general response rates there?

There is no doubt that the Scottish Civic Forum has been determined in its efforts to drive forward the founding principles of the Parliament. The model is so successful that Ken Livingstone's London Administration has copied it. I do not always agree with Ken Livingstone, and he has not had his troubles to seek recently, but there are times when he makes the right decisions, and this is one of them.

There has also been interest in the work of the forum from around the world. Like many others, at meetings in Europe and further afield I have expounded with pride on the Parliament's power-sharing principles—the Public Petitions Committee, the Scottish Youth Parliament and the Civic Forum.

My most recent overseas visitor was Wilbert Rozas, a municipal mayor from the Andes in Peru. The Civic Forum met him at length and explained in detail the work that it does. He was astounded. He has gone back to Cusco and will show our model of public participation all over his region of Peru.

The plenary sessions of the Civic Forum, which we should host regularly and encourage, have allowed individuals and groups that are active in civic society to use the Parliament to debate the issues that are most important to them. I remember well the Civic Forum debate in the chamber on the Mound on the first anniversary of the Parliament.

We should expand the activities of the forum to bring it more and more into the lives of the people

of our country. We should allow it to go further in advancing the principles of the Parliament and use it as a vehicle to reverse the cynicism and apathy that people feel about politics.

Why does the Civic Forum face a cut in funding from its major funder? I do not believe that ministers want the forum to be quiet and go away. We may be political rivals, but I have a bit more respect for members of the Executive than that. I do not believe that it would be more comfortable for ministers if the Civic Forum was not there and I do not believe that the forum has made life overly difficult for any minister. In fact, some people have suggested that the forum works for ministers. Of course, I believe nothing of the sort but I can understand how that perception could come about when the forum is, in large part, funded by the Government.

I appreciate that some people think that the forum should stand on its own feet but, unless someone can show me where the funding can come from to replace central Government funding, I say that we would be sold short. To expect the forum to bid for work in order to stay afloat compromises its neutrality and impartiality. Democracy does not come cheap; nor does mass participation in democracy. If we believe in democracy we must also believe in paying for it.

I believe that the Parliament should take over the funding of the forum. That would take it out of the realm of party politics and make it far more a part of Scotland's civic life. We have a duty to everyone in Scotland to ensure that that is done and that the vision that we started with back in 1997 is kept alive. We should strengthen and extend the work of the forum and expand its funding and its functions. To do that, we have to put its funding beyond doubt: for me, the Parliament has that responsibility. I know that, at the time, Scottish Office lawyers said that that would not be allowed under the Scotland Act 1998, but I am not convinced. We must remember that the Scotland Act 1998 works the other way round: what is not expressly prohibited is allowed. It is interesting that schedule 2, paragraph 4(1) states that

“the corporation”—

that is, the Scottish Parliamentary Corporate Body—

“may do anything which appears to it to be necessary or expedient for the purpose of or in connection with the discharge of its functions.”

My argument today is that it is our responsibility to ensure that the work of the Civic Forum is carried on and closely aligned with the work of the Parliament. If that is our responsibility, it is practically the corporate body's duty to fund the Civic Forum.

I hope that when we leave the Parliament, whether through defeat or retirement, we want to leave a legacy behind us—something that we have achieved. I would say that strengthening civic Scotland to ensure that it can work alongside Scotland's Parliament is a pretty good legacy to leave behind and that we should work towards that.

17:28

**Cathy Peattie (Falkirk East) (Lab):** I thank Linda Fabiani for bringing this important debate to Parliament this evening.

The Scottish Civic Forum was set up in 2000 to carry forward the spirit of the broadly based campaign for a Scottish Parliament into a new era of Scottish politics. Its aim was to increase civic participation and to implement a vision of a stronger relationship, based on a principle of ongoing dialogue between people who live in Scotland, politicians and policy makers.

The forum is a network of more than 700 organisations and individuals across Scotland—I understand that the figure has increased by 70 per cent over the past year. It is committed to encouraging and enabling citizens to play their role in realising the four principles on which the Scottish Parliament was founded: access; accountability; equality; and power sharing with the people of Scotland.

I participated in many of the early meetings in the run-up to the establishment of the Scottish Parliament. The aims then were as they are now: to promote wider knowledge and understanding of how Government and the parliamentary process work, so that people know how to have a direct input; and to provide a safe space in which differing opinions can be expressed, allowing an opportunity to map the range of views and to tease out the relative priorities.

The work of the Civic Forum is as much about the process as the outcome. It is about getting people together, enabling them to speak and to find ways of making progress, facilitating their participation in the political process and involving them in policy development. The forum has carried out successful consultations—far too many to list—on issues such as water charges, charity law, prostitution tolerance zones, the sexual health strategy and building civic media. It is quite obvious from that list that the forum does not choose easy options. Those are difficult topics that communities must have an opportunity to discuss.

The forum has a participation fund from Shell to ensure that there are signers and translation support and to provide travelling costs. All of that promotes good practice and encourages participation. If we did not have the Scottish Civic

Forum, we would have to set one up. I was therefore most concerned to hear about the present funding situation.

I disagree with Linda Fabiani on one point: I believe that the forum should be independent. However, it is appropriate that the forum should receive funding from the Scottish Executive and others. I worked in community development for a long time and I understand the dynamics when organisations feel that they can do something themselves or when they appear to be threatened. I understand what it is like for an organisation to depend on the very funders that it may sometimes be trying to feed information into—we used to call that “golden handcuffs”. However, that funding is vital to the democratic process.

Scotland has, and should continue to have—

**Linda Fabiani:** Will the member take an intervention?

**Cathy Peattie:** Certainly.

**Linda Fabiani:** I am sorry to interrupt Cathy Peattie in full flow but I think that she has slightly misunderstood what I said. I certainly think that the forum's funding should be public but it should come from the Parliament. It should be top-sliced from the Parliament's budget, so that the funding for the forum is seen to be impartial and completely neutral of the Government of the day.

**Cathy Peattie:** Okay.

Scotland has, and should continue to have, the Civic Forum—working at local and national level and enhancing our democratic process. I ask the Executive to reconsider the funding of this very important organisation. Core funding is vital. It is not enough to expect the organisation to seek project funding. Without core funding, the organisation cannot do the rest of its work.

I again thank Linda Fabiani for securing this debate, and I thank the Scottish Civic Forum for all its information and for the support that it has given me in the work that I do at local level.

17:33

**Ms Rosemary Byrne (South of Scotland) (SSP):** I thank Linda Fabiani for securing this debate. It is only a few weeks since I met representatives of the Scottish Civic Forum and was able to understand better than before the forum's role and how I could engage with it. For the sake of democracy in Scotland, we have to ensure that we fund the forum appropriately and that we keep it independent. The Parliament has a responsibility to ensure that the forum's core funding is maintained.

We should not do anything to undermine the engagement of Scottish people in the democratic

process. Their input should be highly valued. People should be encouraged to engage with the Parliament and to understand its workings.

Sometimes, too few people go out and vote. The turnout in the most recent elections to the Scottish Parliament was disappointing to us all. It is incumbent on us all to encourage the forum to get the message across to communities so that people understand our role.

The forum has a crucial role in promoting wider knowledge and understanding of how Government and Parliament work and in engaging with the Scottish people through informing and consulting them. Participative consultations have taken place in more than 30 locations in Scotland. The Scottish Civic Forum provides accessible local opportunities for people to engage in the democratic process.

The forum has many invaluable roles. It engages not only with people in communities but with professionals, businesses, trade unions, organisations and small community groups right across the whole spectrum of Scottish society. We need to ensure that we safeguard that work.

The forum is also a key partner in many Executive consultations, the most recent of which was the consultation on a ban on smoking in public places. No one should feel that those activities are not valuable—of course they are. If people participate in the Parliament, it makes them feel that the Parliament belongs to them.

The debate is welcome. It is a sad state of affairs that so few members are in the chamber, however. Although that is unfortunate, the absence of members should not give out the message that members are not interested in the Scottish Civic Forum. Everyone to whom I speak—whether they are a member or not—agrees that the forum plays a valuable role. It is up to the members who are in the chamber to go out and support the idea in Linda Fabiani's motion of core funding being provided for the forum.

I want to quote from the valuable briefing paper that the forum provided for the debate:

"The Forum not only works with communities to help them participate but also explains government processes to participants, encouraging them to value good process and to understand more clearly how decision-making processes work. This helps to diffuse some of the misunderstanding and cynicism that sometimes exists in relation to consultations and other initiatives."

That little paragraph sums up the role of the Civic Forum and the value that we should attach to it. Once again, I thank Linda Fabiani for bringing the motion to the chamber tonight.

17:36

**Donald Gorrie (Central Scotland) (LD):** I welcome the debate. The Scottish Civic Forum or something like it must be part of public life in Scotland. We can debate whether it should be funded by the Executive, the Parliament or both.

As I understand it, two issues are involved. The first is what sort of organisation we want. Is the Civic Forum the right sort of organisation, or do we want something different? The Executive seems to be going for one-off consultation exercises. If I am wrong about that, no doubt the minister will put me right. Although it may be right in some cases to do so, it is the wrong approach to take. We need an organisation that consults and involves people in a general way and does not consult them only on specific issues.

For example, the Civic Forum organises conferences that people do not have to pay an arm and a leg to attend. All of us receive numerous invitations to attend conferences that are organised by some professional conference-organising outfit or another. The depressing tendency is for those conferences to cost a huge amount of money. Only people whose place can be paid for by an organisation, enthusiasts for the conference subject or nutcases will pay to attend them. We need to get real, ordinary people to attend, but that is difficult and expensive to do. Although the issue is complex, we need an organisation like the forum to do that sort of work.

The second issue is what follows on from the decision to have an organisation such as the forum. The question is whether the current forum has delivered and that needs to be explored. The forum claims that whenever it has been set a target, it has met or exceeded it. I do not know whether that is correct but, if it is, it seems a bit hard to penalise the forum.

The forum also states that in its first four years of operation, it was supervised—or whatever—by five successive sets of civil servants. That suggests that the civil servants involved cannot have had a real depth of knowledge of the forum. With all due respect, civil servants are not the right people to judge the effectiveness of civic participation bodies. It is a difficult enough job for people who think that they have some understanding of democracy to make that judgment. For Government officials to try to do so is difficult indeed. I would not rely on their judgment.

There may be the view that the Civic Forum is expensive and has not delivered, but I think that it has achieved quite a lot. As has been mentioned, it has regional co-ordinators who have promoted genuine discussion and local activity in a good way. The Parliament would be wrong not to



continue to support the Civic Forum. We can have meetings to discuss how it can do things better, or work out another body that could do things better, but to reduce its funding and say that it must find project funding is going entirely in the wrong direction. The whole direction of Government is towards project funding, not core funding, but we need core funding. We need to decide whether the forum is a good organisation, then core fund it to deliver what we want it to deliver.

17:40

**Lord James Douglas-Hamilton (Lothians) (Con):** I agree with Donald Gorrie that it is to the Scottish Civic Forum's great credit that it has met all its targets and continued to do its work when confronted with changing targets and different sets of officials overseeing its functions.

I warmly congratulate Linda Fabiani on her success in securing the debate. We have all received representations. I hold in my hand a letter from Edinburgh west end churches together, which is signed by the chairman and rector of St John's, who writes:

"We view it as a retrograde step for this independent body, which offers impartial non-partisan support to a host of small civic organisations who cannot afford political or lobbying consultants, to be undermined and probably fatally jeopardised through lack of core public funding, which in our view should be increased and guaranteed."

The effectiveness of the Civic Forum is to be measured not by its usefulness to the Executive or the Parliament, whose resources are far greater, but by its usefulness to ordinary people and organised groups throughout the land. In our view, the funding for the forum should be increased to enable it to grow fully into its role and to discharge that role more effectively. The Executive and the Parliament should not be seen in effect to be eliminating an independent enabler.

My colleagues in the Scottish Conservative group and I support the Civic Forum and the work that it does. We are committed to better government in Scotland, and the empowerment of communities and people, which includes improving the way that the Parliament works and the real devolution of decision making and power from politicians to the individuals, families and local institutions that make up our society. The forum has a relevant part to play in that process, so Linda Fabiani's motion should be considered sympathetically today. We share her concerns about the future of the funding of the forum. I hope that the minister will approach the matter this evening with an open mind.

Cathy Peattie mentioned some of the aims of the Parliament, which are reflected in the four words on the mace—justice, integrity, wisdom and compassion. The key to realising those aims lies

in participation. That theme was echoed by Rosemary Byrne. Having been a minister in the past, I appreciate that some decisions can have far-reaching consequences. Speaking for myself, I think that it would be unfortunate if any irrevocable steps were taken by the Executive to reduce the role of participative democracy.

17:43

**Chris Ballance (South of Scotland) (Green):** I, too, congratulate Linda Fabiani on securing the debate. I hope that she will sign my motion on the subject, which was lodged at about the same time as her own.

**Linda Fabiani:** I am sorry, but I do not agree with it.

**Chris Ballance:** Fair enough.

The decision to cut the funding of the Scottish Civic Forum as a prelude to removing it all together is an attack on the consultative steering group, the work of which brought us all here, and on the founding principles of this Parliament. It is aimed at eliminating the leading independent commentator in Scotland and the leading independent forum for civic society to discuss and inform policy. According to the Civic Forum's convener, Joyce McMillan, its role is

"to defend democracy. We have to be the guerrilla fighters for the idea of democracy itself".

Will the Executive not continue to fund that principle?

The Civic Forum's founding principle states that it exists

"to promote a new way of doing politics in Scotland based on the principles set out by the Consultative Steering Group ... We support the move to a participative democracy believing that there is more to democracy than casting a vote every four or five years."

What is the minister's objection to that? The Civic Forum has always preferred to concentrate on building up networks as a neutral enabler, avoiding the populist, adversarial and media-centric nature of much of politics. Does the minister not support that?

The Civic Forum's coverage of Scotland might be patchy, because of its current underfunding, but it has delivered. In my experience, the forum's initiatives in Dumfries and Galloway, led by its able representative there, John Dowson, are well attended, well informed, inclusive, helpful and well organised. There is no reason for the Executive's decision.

The survival of MSPs of all parties depends on democracy and public involvement with politics. At a time when public opprobrium of the Scottish Parliament is high and ordinary people feel that

there is no way for them to get involved in democracy, we need bodies such as the Scottish Civic Forum. I say to the minister—in a sense this is also a response to Donald Gorrie's comments—that it is not up to the Executive to dictate the sort of forum that it wants; that is up to the public and the forum.

17:46

**Mr Kenny MacAskill (Lothians) (SNP):** I congratulate my colleague Linda Fabiani, who did not just lodge the motion but delivered her speech while feeling somewhat under the weather, and I congratulate the Scottish Civic Forum.

There are two issues for us to address. One is the importance of the organisation, on which every speaker has commented, and the other is the mechanism for funding it. The reason why Linda Fabiani indicated her disagreement with Mr Ballance is that the SNP in particular acknowledges that not only is the forum a worthy organisation but its funding should be independent. That is why we wish its funding to be removed from the Executive because, unfortunately, we live in a society in which he who pays the piper calls the tune. It would be better if the funding did not come from the Executive. Even if we have no doubt that the Executive has not leaned on and would not lean on the Civic Forum—

**Chris Ballance:** My motion does not comment on that. The motions sit together and are complementary, not contradictory.

**Mr MacAskill:** On that basis I will happily withdraw and read Mr Ballance's motion in greater detail.

The importance of the forum is that, as members have said, it goes to the root of democracy and the founding principles of the Parliament. To an extent, we all take democracy for granted. We might bandy around phrases—or not, depending on whom we believe—about whether we are “fascistic” or otherwise, but we have not lived under a totalitarian regime for centuries and not for generations have we had to fight for the right to vote and live in a free society. We simply assume that we live in such a society and take democracy for granted.

We acknowledge that, to an extent, democracy is in difficulties, given voter turnout, which Rosemary Byrne and others mentioned. It is clear that there are difficulties, but democracy is not simply about voting in elections. That is important and we have to address difficulties in that regard, but if we are to re-engage people with politics, our democracy has to be participatory. It is important that people exercise their right to vote in every instance—after all, people fought to gain the

franchise, which we all accept should be used. Nevertheless, democracy transcends the opportunity to vote, whether for a councillor, for a member of the United Kingdom Parliament or for a member of the Scottish Parliament. It is about people participating and having the opportunity to influence various aspects of their lives.

It is understandable that people are frustrated as society evolves and becomes globalised and life becomes more complex, because it seems that voting at the ballot box does not necessarily change circumstances significantly. That is all the more reason why we have to have a participatory democracy that works from the grass roots up and is about people interacting not just with the Parliament but at all levels in a variety of ways.

That is the importance of the Civic Forum. It has delivered in difficult circumstances with limited funding and it is clear that it must remain. Linda Fabiani has called on us to ensure that the funding is not simply adequate but independent.

17:50

**Maureen Macmillan (Highlands and Islands) (Lab):** I support Linda Fabiani's motion and congratulate her on securing the debate.

I am concerned about the situation in which the Scottish Civic Forum finds itself. The forum should be one of the cornerstones of our new Scottish politics and I hope that we are serious about supporting the concept of participation and promoting and facilitating public engagement with the work of the Parliament. The Scottish Civic Forum has done just that since 2000. I have to say that it has done so with what it believes was an extremely tight budget and, over the years, with conflicting messages from the Executive with regard to what was required of it and differing views on outcomes achieved.

**Robin Harper (Lothians) (Green):** The member referred to the Scottish Civic Forum becoming one of the cornerstones of our new politics. I submit that it is already one of the cornerstones of our politics; it is part of the Parliament in an important way and the Parliament would be damaged if we undermined the Scottish Civic Forum.

**Maureen Macmillan:** I did not say that the Scottish Civic Forum was becoming a cornerstone of our new politics, but that it should be one.

We should be under no illusions about the fact that the vast majority of the Scottish people have little interest in, or do not understand, how the Parliament works or how they can take part in its deliberations. Many members of the public do not know what the Parliament's powers are; they do not know that committees exist or what they do, or that the public can have an input into their work.

People do not know what consultations are taking place or how they can take part in them. Not everyone is comfortable with negotiating the internet or knows their MSP's e-mail address. We are deceiving ourselves if we think otherwise. If we are to engage with the public, we have to do so in a proactive way. The Scottish Civic Forum has worked to address that. As Cathy Peattie said, if it did not exist, it would have to be invented.

I was pleased to be asked to open the first civic participation centre outside Edinburgh last December, which is based in the MacPhail centre in Ullapool High School. The civic participation centre is a joint project with Highland Council's library service and the Scottish Parliament's education outreach service. The centre has been heartily welcomed by the community and the large number of people who turned up at the event were enthusiastic and pleased to have that point of contact with the Parliament. I had hoped that similar facilities would be rolled out in other rural areas and urban communities across Scotland and was, therefore, extremely disturbed to discover that the Executive had put a question mark over the continuing funding for the Scottish Civic Forum.

Although I have not had a reply to the letter that I wrote to the Deputy Minister for Finance and Public Service Reform on this subject, I saw an Executive press release, wherein it congratulated itself on awarding the Scottish Civic Forum £100,000; that sum, of course, is half of the forum's current funding.

I understand that the Executive has concerns that the Scottish Civic Forum is not delivering in the way that the Executive wants it to. I also appreciate that if an organisation is totally funded by a body, that body might take a proprietary interest in how the organisation conducts its affairs.

**Cathy Peattie:** Will the member take an intervention?

**Maureen Macmillan:** I do not have time.

That is why I agree with the suggestion in Linda Fabiani's motion that the Scottish Parliamentary Corporate Body should consider funding the Scottish Civic Forum. Frankly, the forum has no one else to turn to. It provides a valuable service to the Parliament, not to the Executive. Let the SPCB sit down with the Scottish Civic Forum to work out a way forward. It is up to parliamentarians to decide what the forum's role is, not the Executive. I do not want to lose what has been put in place or the chance to roll out the participation network across Scotland. I hope that the Executive and the SPCB will consider the way forward that has been outlined.

17:53

**The Deputy Minister for Finance and Public Service Reform (Tavish Scott):** I welcome the tone of the debate and the constructive motion that Linda Fabiani has lodged. I also bear with her through this time in which she is feeling, as Kenny MacAskill put it, "under the weather".

The matter that we are discussing is important. Although the term "civic participation" is probably not widely understood by people who are not in our walk of life, the role of ensuring that people properly understand government; of explaining the principles and processes of government, as Rosemary Byrne put it; and of reaching real, ordinary people, as Donald Gorrie put it, is important. Similarly, I concur absolutely with Cathy Peattie's assessment that the Scottish Civic Forum has considered difficult options in relation to difficult legislative areas. In terms of its work overall, the Civic Forum has had an extremely important role in the first five years of devolution and will continue to have an extraordinarily important role in the future.

The Executive is not suggesting that the Civic Forum will cease, and I would not have taken that point had it been made. The Executive is firmly of the view that the remarks of Linda Fabiani, Kenny MacAskill and Maureen Macmillan about the separation of responsibilities between Government and Parliament mark an appropriate way forward and I certainly support the general tenet of Linda Fabiani's motion that Parliament has considered this evening.

I have a number of observations in relation to specific points that have been made by members this evening. First, I will deal with Linda Fabiani's legal point. Her interpretation concurs with the way in which I consider the issue. Indeed, I wrote to the Presiding Officer last February about the ability of the corporate body to consider its position in relation to financing the Civic Forum. The legal interpretation suggests that that can be achieved. It is not for me, any minister or the Government to tell the corporate body how to pursue the issue, but I believe that the option is available to it were it to embark on that route.

It is important to recognise that we have provided the Civic Forum with pump-priming funding of £880,000 since 1999-2000. That funding is supplemented by the cost of providing several Executive secondees to the organisation.

I take the point that was made by Maureen Macmillan and Donald Gorrie with regard to changes in officials. When Margaret Curran and I met the Civic Forum last week, we apologised for our inability to get a straight message across. That was not acceptable, and I repeat that for the benefit of the chamber tonight.

On 1 June 2000, the then Minister for Finance, Jack McConnell made it clear that the Civic Forum should not rely exclusively on Executive funding. He said:

"Its success will be measured by the credibility that it develops in civic Scotland, and by the funding that it attracts to replace the pump-priming support from the Executive."—[*Official Report*, 1 June 2000; Vol 6, c 1205.]

I gently suggest to colleagues that our approach—far from being an immediate step—has been clear for five years and, dare I say it, that the issue had to be dealt with at some stage. Last year was a year of transitional funding. That was made absolutely crystal clear; I assure colleagues that there was no question of any mixed message about the way in which we sought to engage with the Civic Forum on that issue. At this time, we consider that it is important for the body to move on in the way in which we have suggested. I believe that Linda Fabiani's motion is entirely consistent with that approach.

The Civic Forum will be invited to tender for specific projects or pieces of work. I take Cathy Peattie's point about core funding of the voluntary sector; I know that she knows a lot about that subject and understands the principles. However, the separation argument that has been made by many colleagues is an appropriate way to go. It would be better if the Government provided funding through specific projects or pieces of work, and that is very much our intention as we go through the next financial year. That is entirely sensible and consistent with developing the forum's independence, which I strongly believe is a principle with which we are all in accord. I was pleased to hear that the Green party accepted Kenny MacAskill's point.

I do not believe that any member suggests that there is just one body that either cares about or progresses civic participation. The chamber will be familiar with several Government initiatives in relation to such work, one or two of which I will mention. The education for citizenship programme is now one of the five national priorities for education. I am a parent with children at primary school and secondary school. When I was at school, I believed strongly in modern studies and, as a result, I believe that there is much to be gained by that core principle in education.

The work of the new and—I would argue—ground-breaking Centre for Confidence and Well-being in Glasgow in developing international research on education, social work and mental health work will be supported by the Executive. That is a clear example of the development of civic participation, as is the £150,000 that has been made available to rural communities this year to continue the innovative rural voices pilot initiative, with which I know Maureen Macmillan is familiar.

That project embraces communities from Wick to Kirkcudbright and from St Monans to the Isle of Eigg.

Consultation activity is important. The Scottish Civic Forum has contributed to the Executive's legislative proposals, not least those on smoking in public places, which have already been mentioned. The fact that 37 per cent of the adult population of Scotland claimed to be aware of the consultation on that issue and that more than 53,000 responses were received is a tribute not only to the forum, but to the people of Scotland. That is a direct answer to the important point that Kenny MacAskill made. When politicians in Parliament and in Government produce proposals on matters that are of genuine concern to people throughout Scotland, people will respond. That is our experience as parliamentarians, in relation to the proposals on smoking in public places, the Antisocial Behaviour etc (Scotland) Bill and the Land Reform (Scotland) Bill. It is important to remember that the bill on land reform that emerged from the consultation process was a very different beast to the bill that was consulted on. That was a direct result of points that were made by the citizens of Scotland and by many groups and organisations across the country.

The Executive agrees that the relationship between the Scottish Civic Forum and Parliament is vital to the work of developing and promoting a participative democracy. As Lord James Douglas-Hamilton said, the fact that some of the forum's most successful work has been done in partnership with the Parliament would seem to be very much in tune with the principles and vision of the consultative steering group. The Executive strongly supports the motion, which suggests that the Scottish Parliamentary Corporate Body should investigate the possibility of funding the forum.

*Meeting closed at 18:02.*

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