

# **MEETING OF THE PARLIAMENT**

Thursday 19 January 2006

Session 2

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2006.

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

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by Astron.

---

# CONTENTS

Thursday 19 January 2006

## Debates

Col.

<b>AIR ROUTE DEVELOPMENT FUND</b> .....	22479
<i>Motion moved—[Tavish Scott].</i>	
<i>Amendment moved—[Fergus Ewing].</i>	
<i>Amendment moved—[Murdo Fraser].</i>	
<i>Amendment moved—[Mr Mark Ruskell].</i>	
The Minister for Transport and Telecommunications (Tavish Scott).....	22479
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP).....	22484
Murdo Fraser (Mid Scotland and Fife) (Con).....	22488
Mr Mark Ruskell (Mid Scotland and Fife) (Green).....	22491
Mr Alasdair Morrison (Western Isles) (Lab).....	22494
Mr Kenny MacAskill (Lothians) (SNP).....	22497
Mr Andrew Arbuckle (Mid Scotland and Fife) (LD).....	22499
David McLetchie (Edinburgh Pentlands) (Con).....	22501
Mr Charlie Gordon (Glasgow Cathcart) (Lab).....	22503
Tommy Sheridan (Glasgow) (SSP).....	22505
Mr Adam Ingram (South of Scotland) (SNP).....	22507
Phil Gallie (South of Scotland) (Con).....	22508
Bristow Muldoon (Livingston) (Lab).....	22510
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD).....	22512
Jim Mather (Highlands and Islands) (SNP).....	22514
Mark Ballard (Lothians) (Green).....	22516
Maureen Macmillan (Highlands and Islands) (Lab).....	22518
John Scott (Ayr) (Con).....	22520
Brian Adam (Aberdeen North) (SNP).....	22522
Tavish Scott.....	22524
<b>QUESTION TIME</b> .....	22529
<b>FIRST MINISTER'S QUESTION TIME</b> .....	22536
<b>QUESTION TIME</b> .....	22548
<b>CULTURAL COMMISSION</b> .....	22563
<i>Statement—[Patricia Ferguson].</i>	
The Minister for Tourism, Culture and Sport (Patricia Ferguson).....	22563
<b>BUSINESS MOTION</b> .....	22583
<i>Motion moved—[Bill Aitken]—and agreed to.</i>	
<b>JOINT INSPECTION OF CHILDREN'S SERVICES AND INSPECTION OF SOCIAL WORK SERVICES</b> <b>(SCOTLAND) BILL: STAGE 3</b> .....	22584
<b>JOINT INSPECTION OF CHILDREN'S SERVICES AND INSPECTION OF SOCIAL WORK SERVICES</b> <b>(SCOTLAND) BILL</b> .....	22595
<i>Motion moved—[Peter Peacock].</i>	
The Minister for Education and Young People (Peter Peacock).....	22595
Fiona Hyslop (Lothians) (SNP).....	22598
Lord James Douglas-Hamilton (Lothians) (Con).....	22599
Iain Smith (North East Fife) (LD).....	22601
Eleanor Scott (Highlands and Islands) (Green).....	22602
Ms Rosemary Byrne (South of Scotland) (SSP).....	22603
Dr Elaine Murray (Dumfries) (Lab).....	22604
Lord James Douglas-Hamilton.....	22605
Christine Grahame (South of Scotland) (SNP).....	22606
The Deputy Minister for Education and Young People (Robert Brown).....	22607
<b>HEALTH BILL</b> .....	22610
<i>Motion moved—[Lewis Macdonald].</i>	
<b>DECISION TIME</b> .....	22611
<b>COMMUNICATION IMPAIRMENT</b> .....	22621
<i>Motion debated—[Mrs Nanette Milne].</i>	

Mrs Nanette Milne (North East Scotland) (Con).....	22621
Shona Robison (Dundee East) (SNP).....	22623
Eleanor Scott (Highlands and Islands) (Green).....	22624
Mr Kenneth Macintosh (Eastwood) (Lab).....	22626
Ms Rosemary Byrne (South of Scotland) (SSP).....	22628
Robin Harper (Lothians) (Green).....	22629
Ms Sandra White (Glasgow) (SNP).....	22631
Lord James Douglas-Hamilton (Lothians) (Con).....	22632
The Minister for Communities (Malcolm Chisholm).....	22633

## Oral Answers

**Col.**

<b>SCOTTISH EXECUTIVE</b> .....	22529
<b>GENERAL QUESTIONS</b> .....	22529
Asylum Seeker Families .....	22534
Freshwater Fishing .....	22531
Longannet Power Station (Sewage Sludge) .....	22529
Spending and Taxation.....	22530
Year of Homecoming 2009.....	22532
<b>FIRST MINISTER'S QUESTION TIME</b> .....	22536
Cabinet (Meetings) .....	22538
Commission on Boundary Differences and Voting Systems.....	22543
Dentistry (Funding) .....	22546
Free Prescriptions .....	22541
Nuclear Power Stations (Planning) .....	22544
Prime Minister (Meetings).....	22536
<b>SCOTTISH EXECUTIVE</b> .....	22548
<b>JUSTICE AND LAW OFFICERS</b> .....	22548
Antisocial Behaviour (Legislation) .....	22553
Child Access (Court Orders).....	22553
In-court Advice Service.....	22549
Knife-related Crime.....	22549
Police Forces (Restructuring) .....	22548
Rape (Convictions) .....	22551
Scottish Fingerprint Bureaux .....	22555
<b>ENTERPRISE, LIFELONG LEARNING AND TRANSPORT</b> .....	22556
Broadband Coverage .....	22556
Crichton University Campus .....	22559
Economic Development Strategy	
(Scottish Borders).....	22558
Inverness (Transport Links).....	22561

---

## Scottish Parliament

Thursday 19 January 2006

[THE PRESIDING OFFICER *opened the meeting at 09:15*]

### Air Route Development Fund

**The Presiding Officer (Mr George Reid):** Good morning. Our first item of business is a debate on motion S2M-3837, in the name of Tavish Scott, on the economic benefits of the air route development fund. I invite members who wish to contribute to press their request-to-speak buttons.

09:15

**The Minister for Transport and Telecommunications (Tavish Scott):** Scotland's place in the world, and our attractiveness as a place to work, to live in and to visit depends on connections: surface connections by road, rail and sea; technological connections by the information superhighway; and air connections. In order to grow Scotland's sustainable economy and to be globally competitive we need fast, efficient and affordable worldwide transport connections. Scotland's transport system underpins our economy. Equally, the quality of this country's external links can aid or shackle our economic performance.

In the 10 years to 2003, before the air route development fund, Scotland suffered a fall in direct international air connections, while our main competitors moved in the opposite direction. Before 2003, many of them were connecting better, competing better and creating opportunities in the global marketplace. Between 1989 and 2003, while Scotland's European and international connections fell by 6 per cent, Denmark's rose by 10 per cent and those of the English midlands rose by 135 per cent. Business after business—whether in electronics, tourism or oil—said the same thing, which was that Scotland's future competitiveness depends on better worldwide connections. We needed to tackle the perception that although Scotland was a good location to conduct business, it lacked direct access to key European and international business centres. Scotland's tourist industry in particular needed direct access as an alternative to transfers at Heathrow, Gatwick or Amsterdam.

In launching the air route development fund, our immediate focus was to improve Scotland's connections with existing and developing markets in continental Europe. However, within 12 months of the launch of the air route development fund, two world-class carriers—Continental Airlines and

Emirates Airlines—announced their intention to commence new intercontinental services from Scotland. Those services have been a phenomenal success in providing connections to established key markets and in opening up easier access to the markets of Asia and Australasia.

Before the air route development fund, Scotland had just 13 international destinations. By last summer, that had increased to 40. Some 22 year-round fund-supported routes continue to serve Scotland: there are two intercontinental destinations; 15 European destinations; five United Kingdom domestic routes; and 10 new routes are due to commence this year, including Delta Air Lines's Edinburgh service to the important United States hub airport of Atlanta.

The success of the fund is not just based on external routes. Internal links have also been developed. The Stornoway to Aberdeen route started just this month, which is meeting clear local needs in the Western Isles. The Shetland to Stansted route will start in June.

This year, 1.4 million passengers will be carried on fund-supported routes, out of some 20 million passengers who are served by all Scotland's airports in an average year. Three years ago, 291,000 passengers were carried on such routes; to achieve that massive improvement in Scotland's international connections, we have invested £2.7 million in the air route development fund. That investment will bring £87 million of economic benefit to the Scottish economy over three years, which will rise to £304 million over a 10-year period. That is the equivalent of a £15 return for every £1 of public money over those three years, and £53 for every £1 of public money over 10 years. That investment has begun to fill in the strategic connections that Scotland needs.

Our economy has benefited enormously from the fund—nowhere more so than in the tourist economy. The industry is one of Scotland's top five economic drivers. Since the tough days of 2001, which were caused by the combination of foot-and-mouth disease and 9/11, tourism has come back very strongly indeed. VisitScotland estimates that tourism generates nearly £5 billion—up from £4 billion four years ago—of gross revenues for businesses of all sizes throughout Scotland. Direct air links into Scotland are a vital element of that growth.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Is it the Executive's view that the expenditure on the air route development fund has increased the overall domestic and international aviation market in Scotland? I ask because the minister's motion suggested instead that it was primarily about reducing the need for short-haul flights to hub airports.

**Tavish Scott:** The overall patterns of air travel have grown mainly because of the advent of low-cost carriers in recent years. There is a strong and clear difference between the growth of low-cost carriers and the strategic links that we have sought to invest in through the air route development fund. It is important to recognise that split. I will return to the short-haul argument in a few moments. However, I observe that some of the connections from Scotland to what we used to describe as regional airports are equally important for our economy as well as for the wider UK and European economies. Those are all factors in how the aviation market has developed in recent times.

In 2004, 23 per cent more visitors came to Scotland from Europe than during the previous year. In the first nine months of 2005, visitors from Europe increased by 35 per cent compared with the same period in 2004. All the signs are that growth is continuing. We now have golfers coming here from the east coast of the USA for three to four-day golfing trips, which have been made possible by the convenience of the new direct services to Edinburgh and Glasgow from Newark airport. Large numbers of Scandinavians travel direct to Scotland to Prestwick, a journey which only a few years ago was extremely expensive and meant flying via London.

Those figures are good news not only for tourism operators, but for Scotland as a whole. The economic benefits of increased tourism revenues flow throughout the economy. More visitors mean more spending on eating and drinking, on retail and on leisure and entertainment. A significant part of that increase has been enabled by the air route development fund.

Expansion of our air routes in Europe complements this devolved Government's European strategy, and new air links enhance Scotland's close links with the new member states of the European Union. Scotland is now directly connected to more destinations in Germany and to Poland—our most important growing market in central Europe—with visitor numbers soaring by 222 per cent in the past year. Warsaw, Kraków, Gdańsk, Katowice and the Czech Republic all have direct air links as a direct consequence of our intervention.

I turn to the environmental arguments that surround air travel and emissions from aircraft, which are important. We acknowledge the need rapidly to address increasing emissions from aircraft, which threaten to jeopardise global efforts to tackle climate change. Government must strike a balance between the need to protect our environment and the needs of our economy and society, but in respect of aviation, that will best be achieved at international level, which is why we

support the UK Government in its efforts to have European air services included in the EU emissions trading scheme.

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** Although I share the minister's support for the inclusion of aviation in the emissions trading scheme, does he realise that that will result only in about a 1 per cent to 2 per cent reduction in emissions per annum, compared with a 4 per cent increase that will be caused by the increase in aviation that we will experience year on year in the decades ahead?

**Tavish Scott:** So, should we not try? Surely one of the lessons to learn, even for the Greens, is that international efforts will offer the best progress in this important area. It is facile to argue that we in Scotland could alone control emissions growth. I want to touch on the simplicity of our argument as, I am sure, will other members, because it is one of the strongest arguments for finding coherent, sensible and workable solutions to the issues.

**Mark Ballard (Lothians) (Green):** The emissions trading scheme is not working.

**Tavish Scott:** Mr Ballard says from a sedentary position that the scheme is not working, but Mr Ruskell's question demonstrated that the EU trading emissions scheme was working because he said that it would achieve some decrease in emissions. I would have thought that some decrease is better than none at all.

**Phil Gallie (South of Scotland) (Con):** Individuals will make up their own minds and will travel in any case. In the past, Scots used to travel to Manchester and other airports south of the border by road, thereby clogging up the roads and creating extra emissions. Is there a trade-off in that?

**Tavish Scott:** I find myself agreeing with Mr Gallie—

**David McLetchie (Edinburgh Pentlands) (Con):** No!

**Tavish Scott:** I find myself agreeing up to a point—that point being in relation to the alternatives that people should have. I would also, however, argue with Mr Gallie, because the rail connections that we wish to achieve would be a better solution than road connections. However, I accept Mr Gallie's historical analysis, which was fair.

I cannot agree with people who would simply say no to any air travel—which already appears to be the Green position. However, to those who want to debate the issue rationally, I will offer two arguments from an environmental perspective. First, there has been an inexorable rise in the demand for air travel since its invention. The air route development fund is not responsible for that

growth. It can be debated whether it has added in a small way to the number of people who travel by air by making air travel easier but—as Mr Gallie rightly suggests—the vast majority of people travelling from Scotland would have done so in any case. They would, however, have used the air routes that cause the highest carbon emissions, which are short-haul flights through hub airports.

**Mark Ballard:** Will the minister take an intervention?

**Tavish Scott:** No. I have dealt with the point.

In addition, people travelling to Scotland would still have travelled. The Greens do not accept that, but it is reality. Those people would still have travelled, but they would have used environmentally damaging short-haul routes or would have gone somewhere else—which appears to be what Mr Ballard's party advocates. The carbon emissions would have happened in any case but the economic benefits would have gone to destinations other than Scotland.

As we develop our national transport strategy, it will benefit from the stringent strategic environmental assessment regime that has been introduced by this Government. In the meantime, it is facile to suggest that the ARDF has, of itself, been an undoubted contributor to increased climate change.

The second environmental argument that I wish to offer is this: it makes sense to reduce train times between Scotland and London. At the moment, 142 flights a day fly those routes. This devolved Government could and would make rail the preferred choice for travel to London. We want to work with Westminster to achieve that goal.

This debate is not just about delivering new routes; it is about ensuring that the airport infrastructure and public transport are in place to accommodate the increased demand. Air travellers throughout Europe take for granted the availability of direct rail links from major airports to the continent's capital cities. I visited Oslo in October—its rail link to the city centre is impressive. In the UK, Edinburgh and Glasgow are the two largest airports in terms of annual passenger numbers that do not possess direct rail links to their city centres. Companies that benefit from the investments we will make in improving public transport links should contribute to the costs. BAA will benefit materially from both those rail links and discussions continue to secure a contribution.

We have done much, but there is more to do. According to the latest available figures, Scotland's financial services sector accounts for 6.3 per cent of the total Scottish economic output, and 9 per cent of all people employed in the service sector are employed in financial services.

Scottish Financial Enterprise wants new air routes from Scotland to key financial locations. As we go further with implementing our strategy, SFE is seeking new routes to destinations including Zurich, Madrid, Boston, New York, Chicago, San Francisco, Hong Kong, Singapore and Mumbai, to name but a few.

The air route development fund has narrowed, but not closed, the gap between Scotland and our competition. Others have not stood still. Work remains to be done to ensure that Scotland has an air routes network that meets the needs of companies, the needs of Scotland's role in the global economy, and our business aspirations.

There are cities in key markets in Europe that do not yet have year-round connections—cities in countries in western Europe such as Germany, Italy, Spain, Switzerland, France and Austria, and cities in countries in central Europe and the Baltic states such as Hungary, Latvia, Lithuania, Estonia and Slovakia. Further afield, Scotland has no direct year-round links with the Indian sub-continent, south-east Asia or—crucially—China. Direct flights to the far east would form a key plank of the enabling environment that this devolved Government is seeking to create for businesses that wish to work with China and the rest of Asia.

There is more to do. Scotland's competitiveness depends, in part, on how much more progress we can make. I encourage Parliament to be ambitious for Scotland and for Scotland's economy.

I move,

That the Parliament endorses the success of the Air Route Development Fund (ARDF) in bringing direct Scottish air links to Europe, North America and within the UK; notes the economic advantages that have flowed to the Scottish economy and the reduced need for short-haul flights through hub airports; supports the development of a European regime that tackles the environmental impact of aviation emissions; further supports work to improve rail journey times between Scotland and London in order to reduce the reliance on domestic short-haul flights, and looks to the further use of the ARDF in developing Scotland's international connections.

09:29

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I believe there will be considerable consensus in today's debate. The Scottish National Party's starting point is that Scotland is a nation and we wish our people to be able to take part in the world of nations, which means that we must be able to travel internationally. The SNP has always taken the view that—as far as is possible, practical and environmentally viable—Scotland should have direct air connections with the rest of the world.

Of course, our nearest neighbours in England—if I may mention them—are also very important to

us in the SNP, as everyone knows. Many of our best candidates hail from England. Our air connections with the fine country of England are valuable, not least to people in my constituency of Inverness East, Nairn and Lochaber, for whom retention of the Gatwick and Heathrow air links is extremely important. However, that is a matter for another day.

The SNP also believes that aviation is a key driver towards our prime target of achieving economic growth. We believe—this ties in, I think, with the figures that the minister quoted—that the development of aviation is hugely beneficial for the economy. First, it creates a great number of jobs in each of Scotland's airports. Secondly, those jobs tend to be of high quality. Thirdly, it plays a crucial role in attracting visitors to Scotland.

Perhaps the most ingrained underlying tourism problem in many parts of Scotland outwith the major cities is that jobs have tended to be seasonal. Businesses that operate for only six to eight months of the year have to pay all their overheads from the revenue that is generated in that period. I would like Inverness, for example, to be able to attract visitors from every part of Europe, as well as from among our friends in England, so that we can transform a seasonal industry into a 12-months-a-year industry. The effect of that would be to create higher-quality jobs, security of employment, more opportunities for business, less uncertainty and more stability. Generally, it would be good news all round.

Although the air route development fund has in our view been a good and effective investment, it plays only a relatively small part in the overall aviation industry in Scotland. The minister quoted the figure of approximately 1.4 million passengers a year on flights for which assistance has come from the ARDF. However, he has been fair in pointing out that that figure should be set against the total figure of 20 million passengers a year. A relatively small proportion of the total benefit of aviation has stemmed from the ARDF. Nonetheless, it has made an important contribution.

**Tavish Scott:** Does Mr Ewing accept that before the air route development fund was introduced we had only 13 international connections, whereas we now have 40? That is the significant point in the argument.

**Fergus Ewing:** The ARDF has certainly played a part. The growth in aviation has been inexorable, with low-cost flights arising from the early 1990s, according to figures that I have studied. Conservative members seem to be pleased with that, but the rise of low-cost flights was not down to the Conservative Government. It was companies such as Ryanair that made a huge contribution to the economy of Scotland.

**Phil Gallie:** Is Mr Ewing not being a bit disingenuous? Ryanair started flying from Scotland in about 1994 or 1995, with the support of the Government and with direct input from MPs from Scotland—particularly from Ayr.

**Fergus Ewing:** I am always the first to acknowledge the robust contribution that Phil Gallie plays in every debate in which he participates, but I point out to him that if Scotland had the fair, lower corporation tax regime that Mr Mather has called for, Ryanair might still be based in Scotland as well as operating from Scotland. That is the sort of economic gain that Mr Cameron spurns but which we would like to see.

**Tommy Sheridan (Glasgow) (SSP):** Does Fergus Ewing agree—I am sure he does—that it would be easier to welcome Ryanair back to a base in Scotland once it has done what other airlines have done, which is to recognise the official trade unions?

**Fergus Ewing:** Mr Sheridan will be disappointed. I am not sure why he expected me to agree with him. It has not happened yet, and will not happen this morning.

Aviation is an industry, and therefore every route must operate viably and effectively, but there is a problem with costs for carriers in airports. Barbara Cassani, who was the managing director of Go, says in her book that those costs led her to choose the east midlands over Scotland. We need perspective: airports are expensive to run; they require security, fire services and a great many other facilities to protect passengers and to provide the necessary service. However, costs must remain competitive with our neighbours south of the border and with our friends in other countries in Europe.

The SNP appreciates that each airport in Scotland is different and that each has benefited to differing extents from the ARDF. Prestwick recently received a substantial benefit from the fund, whereas Glasgow did not. There was comment in the press recently on the loss of the Brussels connection from Glasgow. That was attributed, in part, to the ARDF subsidy to the connection at Prestwick. We must always bear it in mind that a subsidy to one company, albeit that it might be largely for marketing purposes, could be a competitive disadvantage to other companies.

The SNP would like a review of the operation of the ARDF; it is time for an audit of the scheme, although we do not prejudge the outcome of any review. I hope that the minister will, in concluding, agree that this is a sensible moment to announce a review. I am sure that the Local Government and Transport Committee would be happy to cooperate if the minister authorises a review. There are strong arguments for extending the ARDF to



air freight to allow it to be applied more flexibly. BAA has argued that it should also be applied to less frequent and seasonal services.

The SNP would also like an end to the ludicrous private finance initiative deal that was used to build Inverness airport. It was foisted on the management there by new Labour, and it is so bad that a building that cost £6 million to build will have to be bought out for £34 million. Some idiot in the then Scottish Office based the return on the contract on the number of passengers, so the more successful the airport became, the wealthier the merchant bankers became. That is not because the contract was a PFI contract—although we criticise the PFI system for being more expensive than it need be. It was a duff contract because it was a duff deal. We wait with interest to see whether the Executive will own up and tell us which minister was responsible.

My colleague Shona Robison, who cannot be here this morning, has lobbied extremely hard for the ARDF to be provided for routes from Dundee airport. Oban airport has been extremely successfully operated by Mr Paul Keegan, and I hope that he will be able to take it further forward.

The minister touched on the environment and dealt effectively with interventions from our Green friends. I also argue, as the minister did, that for one country to act unilaterally would be absurd, self-defeating and utterly ineffective. The imposition of taxation on Scottish airports and operators would not reduce the number of flights—it would merely displace them elsewhere. Action should be taken at European level. I do not wish us to return, as the Greens apparently do, to the days when air travel was for rich people.

**Mr Ruskell:** Is Fergus Ewing aware that 75 per cent of people who use low-cost airlines are in the top socioeconomic classes?

**Fergus Ewing:** That is the most improbable statistic that I have heard for a long time. If the Greens were honest, they would just say that they want to tax each passenger £50 or £100 on every flight, that they want to rip up every runway in Scotland and turn it into an allotment and that they want to rip up every motorway and turn it into a cycle path. The Greens would be less hypocritical if they themselves did not use air travel, but I recall meeting their former leader at Glasgow airport one day.

In conclusion, the SNP will support the Executive's motion, and I hope that the Executive will support us. There is a common vision of the huge benefits of aviation to our country, and the SNP is not at all coy in saying so.

I move amendment S2M-3837.2, to insert at end:

“further acknowledges the importance of aviation in the prime aim of growing the Scottish economy; urges the Executive to seek to remove barriers to further success in aviation policy; calls on the Executive to audit and review the ARDF and its efficacy thus far, with a view to refining and widening its terms, and to consider, for example, its extension to air freight traffic and to less frequent and seasonal services, and urges the Executive to work with Scotland's airports and carriers to deliver a competitive economic environment, which should include the provision of appropriate and sufficient infrastructure for our airports.”

09:41

**Murdo Fraser (Mid Scotland and Fife) (Con):** I congratulate Fergus Ewing on burying, before it is even born, the new SNP-Green coalition that we have heard so much about.

The debate has been largely consensual and members will be disappointed to hear that I do not intend to break that trend; we will have to wait for Mr Ruskell's speech for that. The Conservatives generally welcome the air route development fund and the success in developing direct air routes from Scottish airports to Europe, North America and within the UK. It is a common complaint from Scottish business that Scotland lacks connectivity. It is not much use saying to a businessperson in Scotland that they can go to a meeting in Barcelona or Milan by connecting through London or Amsterdam because, in effect, they have to spend a whole day travelling in each direction. Access to those destinations through one flight of one and a half to two hours is greatly to the benefit of Scotland's business community and makes such business practicable because return trips can be made in one day or two days at the most.

New routes encourage inward investment. Not only are they good for Scottish businesspeople who go abroad, they are good for people from overseas; they are good not only for those who want to come to do business here, but for those who want to visit us. Our tourism industry has done well out of the development of many new routes. We hear plenty of anecdotal evidence about people who come to Scotland, particularly from Scandinavian countries, for shopping and entertainment because they find that the costs of our products, particularly alcohol, are highly satisfactory compared to what they pay at home. Our friends the nationalists are always parading the success of Norway and Sweden and the other Scandinavian countries, but they should remember that people from those countries come to Glasgow and Prestwick and Ayr to spend their money because the cost of living here is much more satisfactory than it is where they live.

There is also an important social benefit to developing air travel at lower cost, which is that Scottish families now have greater opportunities than ever to take holidays abroad. I recently flew to Belgium to see friends for the grand price of 49p

plus tax. Without the development of low-cost travel, such opportunities would simply not be available.

We in the Conservative party have no hesitation in saying that we believe that the growth of air travel has been good economically and good socially. Parliament should also recognise—our amendment makes the point—that we would not have today's growth in air travel had it not been for decisions that were taken by previous Conservative Governments. Fergus Ewing acknowledged that there had been growth in air travel since the 1990s, but he seemed to think that that was just a coincidence. In fact, it happened because of decisions by previous Conservative Governments to liberalise air travel and to privatise the British Airports Authority and British Airways. I remind Parliament that those privatisations and the other measures that Conservative Governments introduced were opposed at every turn by the other parties in the chamber. They said that Conservative measures would lead to disaster in the air industry, but—as usual—they were wrong, and have been proved wrong.

On 1 November 1987, the Labour Party's then city affairs spokesman, somebody called Tony Blair, criticised the privatisation of British Airways as being "legalised political corruption". How far we have come in 19 years. The fact is that the air sector would not be enjoying success today had Labour been in power at that time. The brave decisions of a Conservative Government led to the current unprecedented growth in the air industry. In the great scheme of things, that has been much more significant than the air route development fund.

**Mr Kenny MacAskill (Lothians) (SNP):** I am perfectly happy with that, although I have some doubts about BAA's monopoly. However, I am curious to hear how Murdo Fraser explains the success of Manchester airport, which is owned by a local authority. The airports that have been successful operate in a variety of ways, but why has Manchester done spectacularly well when it has remained in council ownership?

**Murdo Fraser:** The liberalisation of the air travel market has meant that airports have been successful regardless of who owns them. Although Edinburgh and Glasgow airports, which were privatised, have grown greatly, that does not mean that other airports have not grown; of course they have. The overall approach—the privatisation of BAA and the opening up of the markets to competition, which I dare say the SNP opposed at the time—has led to growth in air travel and has secured the success of airports such as Manchester, despite the fact that their ownership remains with a public authority.

**Tommy Sheridan:** Could Murdo Fraser explain the miraculous growth in travel with Cubana de Aviación? That airline is publicly owned but has undergone one of the largest increases in use on the planet.

**Murdo Fraser:** I dare say that Mr Sheridan's regular trips to Cuba are increasing use of that airline. I have no expertise on Cubana Airlines, but I suspect that it is enjoying the benefits of the internationally liberalised air travel market, which did not exist previously.

Let us not be churlish: in general, we welcome the air route development fund and we acknowledge that it has been a success. However not everything in the garden is rosy. We must ensure that public money is wisely spent and that we do not distort the market and put unsubsidised services at an unfair disadvantage through the fund.

That issue came to the fore in August last year, when the Executive announced that easyJet would receive funding to upgrade a year-round service from Edinburgh to Geneva. In fact, that route was already being serviced unsubsidised by the Scotland-based company Globespan, which operated a winter-only service on the route. The Executive then said that the funding would apply only from April to December—when the Globespan service was not operating—thus bending its own rules, which said that the fund could be applied only to year-round routes, and missing the point that easyJet would not be operating the route at all were it not for subsidy from the taxpayer. It is little surprise that Globespan, a Scottish company—it is based in Edinburgh, I believe—reacted with fury.

**Tavish Scott:** That is a slightly simplistic take on the issue. If we are to invest the limited amounts that we do in the air route development fund, it is important that we secure year-round services. That was very definitely the criterion and we achieved it. I do not mind whether we achieve it through two airlines or one. Surely the positive aspect is that more Scottish travellers can fly that route all year round.

**Murdo Fraser:** It is interesting that the minister is prepared to bend the rules when it suits him. We agree with the objective of growth in travel, but we need to be careful. If the ministers are to set rules for particular funds, they should adhere to them rather than bend them when it suits.

We should also ensure that the benefits of the fund are spread fairly throughout Scotland; in that respect, I agree with Fergus Ewing. The fund should be available to as many Scots travellers as possible and it should open up all of Scotland to overseas visitors. There was a report in the *Evening Times* last week about direct flights

between Glasgow and Brussels that were operated by SN Brussels Airlines being dropped. I hope that that is an isolated occurrence. I appreciate that Glasgow airport has attracted money from the fund for its daily flight to Dubai but, over the period, it has not done particularly well in attracting cash. We must remember that Glasgow—like Prestwick—has an important role to play in Scotland's links with the wider world.

We also need to be conscious of the environmental impact of air travel. I note that the Executive mentions that in its motion and I agree that we cannot credibly tackle the problem at national level, but require international—indeed, global—co-operation to make it work. I enjoyed hearing the minister's robust defence of the Executive's approach in response to criticism from the Greens. I hope that that robust Executive stance survives future coalition talks with the Green party if such things should occur.

The Scottish Conservatives welcome the air route development fund and look forward to greater international connections direct from Scotland in years to come. However, we must all remember that the current growth in air travel has come about because we had a Conservative Government that was prepared to make brave decisions which were, at that time, opposed by other parties that are now proclaiming the success of their policies in the Parliament.

I move amendment S2M-3837.1, to insert at end:

"notes, however, that the ARDF represents a comparatively modest contribution to the massive expansion of air services over recent decades, which is chiefly due to the substantial deregulation of the industry achieved by the liberalising policies of the last Conservative administration, such as the privatisation of the British Airports Authority (BAA), the privatisation of British Airways (BA), the Airports Act 1986, the Civil Aviation Act 1980 and the pursuit of a European single market in aviation."

09:50

**Mr Mark Ruskell (Mid Scotland and Fife) (Green):** My word, the debate has been consensual so far. We also had a consensual debate last week, when we debated the importance of Scotland becoming the best small country in the world, with the economic, social and environmental legs of sustainable development supporting real progress. A slightly different set of members spoke in that debate but, a week later, we are hobbling back on to the economic leg, ignoring the impact on the environment and the social devastation that climate change will cause around the globe. That economic leg is looking a little shaky, because we have still to see a detailed report on the economic benefits of the air route development fund three years on from its launch. However, we know that although 1.5 million

incoming visitors used Scottish airports in 2004 and brought £866 million into the Scottish economy, nearly 4 million trips were made by Scots travelling out of the country and spending more than £2.1 billion overseas. To put it another way, for every £1 that visitors spent in Scotland, nearly £2.50 was spent overseas. That is hardly good for the Scottish economy.

**Maureen Macmillan (Highlands and Islands) (Lab):** Does Mark Ruskell think that if no airlines flew out of Scotland, Scots would all stay at home and not go to Blackpool, for example, for their holidays? He is not making a good argument.

**Mr Ruskell:** At a seminar that we both attended last year, Maureen Macmillan heard Jim Hunter comment to a group of MSPs that the best thing for Highland tourism would be for the price of air travel to double because people would spend their holidays closer to home.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Will Mark Ruskell give way?

**Mr Ruskell:** No, I need to make a little bit of progress.

Nine out of 10 visitors to Scotland come from within the United Kingdom. Those visitors even spend slightly more than overseas visitors, but a vast section of that huge market still leaves the UK in a mass exodus because of cheap air travel.

What travel links should we invest money in to get the best economic return? As the minister knows, in the first two years of its operation, the Rosyth ferry generated about £150 million for the Scottish economy for only £1 million of Government investment. The air route development fund is predicted to generate less than £50 million for every £1 million that we put into it. Surely the time is right to put Rosyth at the heart of Scotland's international transport links and focus the money on opening up new routes, including routes to Norway.

**Fergus Ewing:** Will the Greens be candid? It seems to me that they are saying that air travel is bad. Do they think that it should be banned, restricted or taxed and how would they tax it? Will they come clean or have they been Blairised?

**Mr Ruskell:** I am not saying that air travel is a bad thing—of course it is not—but we must realise that it has an environmental impact. Let us take lifeline rural air flights as an example. Even if we have to make a 60 per cent reduction in our CO<sub>2</sub> emissions over all sectors of the Scottish economy, we will still have room to allow lifeline rural air flights, which perhaps satisfy the sustainability, social and economic tests. We can make allowances for such air travel, but we cannot keep throwing money away by developing routes that serve only to enable tourism—particularly

short weekend breaks—out of Scotland, which takes the economic benefits elsewhere.

**Mr Stone:** Will Mark Ruskell give way?

**Mr Ruskell:** I need to make some progress; I am running out of time.

There is also Eurostar. The chief executive of Eurostar stated last year that cheap flights had ruined the economic case for Eurostar to run services to Scotland and elsewhere in the UK. It is depressing to see Scotland's Eurostar rolling stock sitting in King's Cross station in London, badged up in GNER livery and running express routes from London to Yorkshire. The only Eurostar train that people can pick up in Scotland is made by Hornby.

**Tavish Scott:** Will Mark Ruskell give way on that point?

**Mr Ruskell:** I need to make some progress.

Let us not forget about the environment in the debate. On climate change, we have no option other than to hit the target of a 60 per cent reduction in carbon dioxide emissions by 2050. I would point out to Fergus Ewing that the Tyndall centre reported last year that if aviation grows at the predicted rate, emissions from all other sectors will have to be cut to zero to meet that target. Which industries would Fergus Ewing shut down in his constituency to allow for further expansion in Scottish flights? Perhaps the public sector should take the hit. Perhaps he thinks that we should just stop being silly and give up on climate change targets altogether.

According to the Executive, the solution is the inclusion of aviation in the EU emissions trading scheme. That is welcome, but the ETS will deliver emissions reductions of at best 2 per cent per annum, which must be set against the predicted growth of 4 per cent in air travel and emissions every single year. That would be one step forward, two steps back. I appreciate what the minister has been saying about the policy intention of the Executive to work internationally to reduce the impact of air travel, but that does not join up with the domestic policy on the air route development fund.

The Executive has argued that the air route development fund is helping to rationalise flights by reducing the number of short-haul hops to hubs such as London to join longer-haul flights. The purpose of the fund is not to undermine existing flights and I doubt that any of the new direct routes have led to the closure of short-haul flights. Rather, they have increased capacity and fuelled the growth in demand. If the Executive is so sure that there has been some miraculous environmental benefit from opening up more air routes and undermining rail travel, let us have a proper environmental assessment alongside the missing economic one.

I wish that aviation were not such an aggressive contributor to climate change, because flying is often a beautiful experience. However, we cannot keep trying to bash a square peg into a round hole. Fuelling the rise in air travel means that everything else has to go back to zero.

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

**Mr Ruskell:** I am sorry—I am just closing.

Scotland will not be able to compete in a world where, this century, low-carbon economies will be smarter and more successful. It is time that we got competitive and became part of the solution, rather than part of the problem.

I move amendment S2M-3837.3, to leave out from "endorses" to end and insert:

"questions the success of the Air Route Development Fund (ARDF) in bringing sustainable development benefits to Scotland; further questions whether economic advantages have flowed to the Scottish economy from the ARDF; supports the development of an international regime that reduces overall aviation emissions; notes that promoting expansion of aviation undermines existing emissions targets and that projected growth in aviation would necessitate cessation of economic activity in other sectors in order to achieve targets; notes that the net cost of aviation to the Scottish economy was £1.4 billion in 2004 and that the United Kingdom accounts for 87% of tourist visits to Scotland; supports work to improve rail journey times between Scotland and London in order to reduce the reliance on domestic short-haul flights but notes the lack of progress in this respect, and condemns the further use of public funds for the ARDF."

**The Presiding Officer:** We move now to open debate. I apologise—Alasdair Morrison is to speak before that, substituting for Bristow Muldoon.

09:57

**Mr Alasdair Morrison (Western Isles) (Lab):** I was just going to explain, Presiding Officer. I am sure that you have already established that neither Bristow Muldoon nor Marilyn Livingstone is with us at the moment. They are as yet absent for transport-related reasons, which they might very well wish to take up with the Minister for Transport and Telecommunications. I am sure that, with your permission, my two colleagues will take part in the debate once they arrive.

Air travel is a feature of the life and work of many public servants in the Western Isles. As many members know, there are three airports in the islands: on Barra, in the south; on Benbecula, in the middle of the archipelago; and on Lewis, in the north.

Concurring with much of what other members have said, I think that this has been a positive debate. Many members have outlined the positive impact of the air route development fund. One unintended consequence is that Fergus Ewing got up this morning, came to this place and made a

speech nine tenths of which was positive. Unfortunately, following the so-called high-level talks between the nationalists and the Greens, it seems that what was a blossoming relationship has just foundered on the air route development fund and everything associated with air travel.

We all know that good air links and the air route development fund have been good for business and industry. There were only 13 international destinations some years ago, but that figure has now increased to 40. That is certainly a welcome development. BAA has presided over the development of more than 100 new air services to more than 50 destinations. The Executive's air route development fund has been an exceptionally valuable addition to Scotland's attractiveness in winning new airline services and in enhancing the viability of a great number of other industries.

Successful routes such as those to New York and Dubai have been cited. They have proved critical to encouraging inbound and outbound tourism, which is contrary to the points that have been made by the Scottish Green Party.

**Mark Ballard:** The member mentioned the air link from Glasgow international to Dubai. Does he think that that will lead to more Glaswegians going to Dubai or to more folk from the United Arab Emirates coming to Scotland? This is about direct flights. Yes, I take—

**The Deputy Presiding Officer (Murray Tosh):** Quickly.

**Mark Ballard:** I take the minister's point about short-haul flights, but surely more people will go from Scotland to spend their money elsewhere than will come to Scotland to spend their money here.

**Mr Morrison:** I apologise to the member if I did not make myself clear. There has been a great increase in both outbound and inbound tourism. That is a reality, but it is something that the Greens fail to recognise. The statistics speak for themselves.

Had Bristow Muldoon been speaking now, he would of course have shared his experience as convener of the Local Government and Transport Committee. I am unfortunately not able to cite any examples of what Mr Muldoon would have said but, for obvious and understandable reasons, I wish to focus on the needs of my constituency.

In his tour de force, the minister rightly trumpeted the success of the air route development fund in increasing international travel. The city and airport of Aberdeen offer an outstanding example, as there have been 17 new services there in as many months. Of course, I would claim that the jewel in the crown of the air route development fund has been the advent of

the Stornoway to Aberdeen route. It is the first time that the fund has been used for an intra-Scotland route, which started last Monday. As its name suggests, Eastern Airways had not previously been seen on the west coast, but it is now operating between east and west.

As the minister knows, 450 men from the Western Isles work on the North sea. Previously, their fathers and grandfathers would have been engaged in gainful employment on Clydeside. The advent of the new route allows a greater number of workers to live on the islands and it will also allow some of those who have settled on the east coast to consider relocating to the islands. This year, for the first time in 30 years, there has been an increase in the islands' population. Having good air links is obviously making a contribution towards that.

On the impact on the environment, the Greens fail to recognise the benefits of having direct routes and a greater number of flights. Let us take the average oil worker travelling to the North sea. If he had been travelling two weeks ago, he would have flown from Stornoway to Inverness, taken a taxi to Inverness railway station, taken a train down to Aberdeen and then taken another taxi to Aberdeen airport to connect with his helicopter en route to the oil platform. That is obviously an expensive way to do business. The new route is cost effective and it is obviously a gain for the environment. Good, affordable air links are hugely important for good social and economic reasons and for the well-being of all of Scotland. The Scottish islands are no different.

The minister knows that public service obligations have their place. They are being well used on Barra, Tiree and Campbeltown. The Scottish Executive's intervention has been positive in relation to those three airports, with a 30 per cent reduction in the cost of travelling between them and the city of Glasgow. We should now consider other imaginative and flexible ways of gaining exactly the same benefits for routes to other airports, including the other two airports in the Western Isles, Benbecula and Stornoway.

As a Shetlander, the minister is all too aware of the discriminatory nature of some of the existing pricing regimes. I urge him to complement the success of the air route development fund by examining imaginative ways of reducing the costs of flying to the islands. PSOs should be used wisely; we certainly do not want to stifle competition. There are currently four flights a day between Stornoway and Glasgow, three a day between Stornoway and Edinburgh and two a day between Glasgow and Benbecula. I hope that the Scottish Executive will soon be in a position to intervene in relation to flights between the mainland of Scotland and the Scottish islands to

allow a greater number of people to use our airports. That is good for the viability of our communities and it is certainly good for the cohesion of the Scottish islands.

**The Deputy Presiding Officer:** We now come to the open debate.

10:04

**Mr Kenny MacAskill (Lothians) (SNP):** Credit must go where credit is due. Although the Scottish National Party championed a route development fund, it has clearly been the Executive that has implemented it. I do not mean to disparage the Minister for Transport and Telecommunications, but it is perhaps unfortunate that Lewis Macdonald is not here to take the plaudits. After all, he was the minister who initiated the fund and we fully support what it has achieved.

Some matters require to be fine tuned and we must take further steps, but we welcome the fund. There is a consensus among members—apart from the Greens—for the fund.

It is important to give credit where credit is due. It was not simply politicians who suggested or implemented the fund; civil servants put it in place. Scottish Enterprise is much maligned—I and other SNP members, as well as other members, have routinely given it a kicking, sometimes with justification. However, Mary McLaughlin and Scottish Enterprise's transport department have done a fantastic job of implementing the air route development fund. We should put on record what that organisation has done. It was also involved in the Rosyth ferry. Ms McLaughlin and her team deserve to be recognised for what they have done.

Links are vital. The minister and others described the frankly shameful situation when Scotland had only 13 international routes but Ireland had numerous routes that connected the Irish economy, never mind Irish tourism, with the world. Many years ago, we had the ignominy that delegations from Scotland that were going to tartan day events required to hub through Amsterdam or Dublin. That was ridiculous and I am thankful that that no longer happens. The only problem that we now face is that unless people book early, they will not obtain a ticket for a flight from Glasgow or Edinburgh to New York, because the routes are so popular. However, I am thankful that we no longer require to go elsewhere.

I fundamentally disagree with the Greens' position; I will deal later with their comments about the environment. The growth in route development is important for the economy and for tourism. It is no accident that the Royal Bank of Scotland is now located at Gogarburn. That is not simply because of its historical base in Scotland or the availability in Edinburgh of skilled staff in financial

matters, but because of the closeness to the airport and connectivity.

Mr Ballard goes on about Dubai. He may think that the importance of the flight from Glasgow to Dubai is about outbound tourism and allowing Scots to benefit from the sun in Dubai, but the benefit of the Dubai route is that it links Scotland with south-east Asia, the Indian sub-continent and Australasia. That is fundamental to our major business. The Royal Bank of Scotland is the biggest business in Scottish history. If we undermine it, we undermine Scotland's economy, so we require to support it.

The situation is the same in tourism, which we must address. I heard Mr Ruskell and the gentleman from Friends of the Earth earlier today say that more went out than came in, which is patently absurd. If we did not have the air route development fund, the A1 would be clogged with people from the east coast of Scotland going to Newcastle airport and the M74 would be clogged with people going to Manchester airport. Not only would those airports rather than our airports benefit, but road traffic would increase to access flights. People would not choose to spend a fortnight going down the Clyde.

We must address how we attract people here. To the Scottish tourism sector's credit, it recognises that it must change its product. Unless a niche market is involved, the days when people spent two weeks here are gone. The sector is developing shorter-stay breaks, which is why Mr Ewing's point is important. We need to be not just a seven-day-a-week destination but a 12-month-a-year destination, which is why we must go further.

We have not done enough for Inverness, to which airlines want to fly—Ryanair has put on record its desire to fly there. If we look at the Ryanair website, we see the tragedy that a place such as Killarney, which is not noted for its major international air links, has Ryanair flights not only to London Stansted but to Frankfurt, whereas Inverness does not. If an airline can fly such routes into Killarney, it is equally capable of flying them into Inverness. We need to access that. Ryanair says that it sees a greater market in Inverness than in Killarney, because of Killarney's proximity to Dublin and other areas. There are other routes for our economy in addition to the Spanish tourism routes that we have—I have some sympathy with Mr Ruskell's points about that. We need to have flights to Madrid and Barcelona so that Scotland can access South America and elsewhere.

Flying has environmental consequences and nobody suggests that it is cost free. However, we must recognise the benefits to our economy and the nature of our geography. Flying directly from Scotland is better because it means not two flights

but one, which reduces environmental damage. One of the most significant forms of environmental damage arises from the planes that circle round and round Heathrow airport because they cannot land. They burn up fuel and damage the environment. If travellers can take off from a Scottish airport and land directly at their destination airport, they save an additional flight and circling round greater London.

We must improve the rail network. It has been shown on the continent that if good rail routes are created, there is no need to fly between, for example, Brussels and Paris—very few people do that. Flying from Edinburgh or Glasgow to Manchester should not be required. We must address that by improving internal links to negate the need to fly internally. However, external flights will always be required in an island nation such as Scotland.

10:10

**Mr Andrew Arbuckle (Mid Scotland and Fife) (LD):** Not long ago, a taunt to mock someone was that they would rush outside to wave to passing aircraft. Perhaps the Greens want us to return to that position.

The explosion in air transport was a main feature of the second half of the 20<sup>th</sup> century and it was essential to Scotland's economy that Scotland was part of that revolution. Less than a generation ago, more than half the country's population had never set foot in an aircraft. However, Scotland's isolation has now largely disappeared, which is essential to a small country that is at the north-western corner of Europe.

In the financial year ended March 2005, there were direct flights from Scottish airports to 105 foreign airports. That was a doubling over the previous 12 months and a fourfold increase on less than a decade ago. In air transport terms, we have moved away from total dependency on the hub-and-spoke system to accessing many countries directly. As Murdo Fraser said, if a trip can be made directly in an hour or two, why should businessmen spend a day or so on it?

The success story is partly due to the air route development fund. Some 22 routes, of which only three are internal UK flights, operate with support from the fund. We have heard at first hand that internal flights can bring economic benefit to remote and rural areas such as those in the Highlands and Islands. As the minister said, more new routes are coming, so we are moving forward. Scottish Enterprise has estimated that the air route development fund will benefit Scotland by about £300 million and an additional 700 jobs in the all-important tourism sector. All that comes from a fund of £14.5 million spent over three years. That

is a good investment and, because the scheme is based on support for routes, it is free from any accusation of a misuse of public cash.

The Green Opposition criticises the motion because flying is a less environmentally friendly method of transport. I know that several environmental groups have questioned the economic benefits and worried about environmental costs that arise from the expansion in air transport. I am aware of the Friends of the Earth report to which the Greens referred, which suggests that air travel resulted in a major net loss of £1.4 billion last year to the Scottish economy because of the number of people who took money out of the country. However, the answer is not the Greens' suggestion of putting up barriers to prevent Scots from travelling abroad; the answer is surely to encourage more people into the country and to help them to spend their cash in Scotland. The minister provided evidence of the increase in tourism last year and spoke of the target to increase the tourism industry by 50 per cent in the next decade.

**Mark Ballard:** Does Andrew Arbuckle recognise that flying is the most polluting form of travel? Does he recognise that flying in the UK is subsidised to the tune of about £6 billion a year as it is the only form of travel that incurs no tax on its fuel? Given that, does he agree that it would be better to retain people in Scotland by ensuring that people who fly pay the full cost of their journey and are not subsidised to get out of Scotland?

**The Deputy Presiding Officer:** That was a bit lengthy.

**Mr Arbuckle:** I thank Mr Ballard for his long intervention. I know that he is against air travel and we will take that as his simplistic position. Despite challenges from Mr Ewing, Mr Ballard has offered nothing on what he would put in place to support the Scottish economy.

**Fergus Ewing:** It is right to say that the Greens will not say what they would do. However, given Ming Campbell's promise that there should be more environmental taxes, will Mr Arbuckle say whether aviation tax should be one of those?

**Mr Arbuckle:** Anybody who takes a unilateral position on any tax is wrong. There would be an argument in favour of having an aviation tax if all the countries in the world decided that there should be one, but we should not have such a tax on our own.

By concentrating too much on environmental and economic matters in the debate, there is a danger that we will miss the cultural advantages that result from more people travelling and seeing other people's cultures and ways of life. Too many of our prejudices are born of ignorance. As Francis Bacon said, travel broadens the mind.

The minister highlighted the new direct links with eastern Europe. I must declare an interest in that regard, as I have taken advantage of one such link. As a result, I have more knowledge of Poland's heritage, culture and people. I cannot say whether Murdo Fraser has benefited culturally from his 49p trip, but we must remember that his investment was small.

I was pleased that the minister finished his speech by pointing out that although much has been achieved, there is much more to do. Scottish people have been inveterate and regular travellers throughout history. The problem is that, in previous times, such travel often benefited other countries rather than Scotland. The better, quicker and more efficient means of travel that are now available should mean that there will be more benefits to Scotland from the travel of those who venture abroad.

I support the motion.

10:16

**David McLetchie (Edinburgh Pentlands)**  
**(Con):** I welcome the opportunity to speak in the debate on the air route development fund.

We all know that the minister is a modest man, and with this scheme he has much to be modest about. It is understandable that he should want to trumpet the Scottish Executive's initiatives in the area, but I insist that credit should be given where it is due. The tremendous expansion in airline services from Scotland and the rest of the United Kingdom in the past 25 years, the arrival of low-cost carriers and the accessibility of air travel to the ordinary man and woman in the street owe far more to the previous Conservative Government's record in liberalising and opening up the market than to a relatively puny route development fund. Our political opponents may be loth to acknowledge that—doing so might stick in their craw.

My colleague Mr Fraser referred to the privatisation of British Airways and BAA.

**Mr Stone:** Is it not the case that so many people were unemployed during the wonderful days that the member mentions that they could not afford to use such routes?

**David McLetchie:** That is not borne out by the growth in the market for air travel, which has been consistently strong over the period.

I should also refer to the competitive measures that our Government has taken and the policies that it has—to its credit—developed in partnership with our fellow member states in the European Union to develop a single market in aviation, to open up routes and landing slots and to remove the distortions that have arisen from granting state

aid to national airlines. Such fundamental changes in the marketplace have made the entirely welcome differences that we can see.

Having given due credit where it is due, I want to examine the operation of the air route development fund. The fund is shrouded in a degree of financial mystery. It was announced in November 2002 with an allocation of £6.8 million, but less than £1.5 million was spent over the next two financial years. Notwithstanding that, the Scottish Executive then announced that funding was to be increased to £12.4 million. The figure has apparently risen again to £14.4 million, with £4.8 million being allocated over this financial year and the next two financial years. However, outcome again seems to be lagging behind expectation, with the Scottish Executive's figures indicating an estimated expenditure of only £10.5 million over that period rather than the full budgetary allocation.

**Tavish Scott:** I am intrigued that David McLetchie is vigorously pursuing the Executive on the issue of finances. As I said in my speech, a growth in international destinations from 13 to 40 has been achieved. Surely spending less money to achieve more is an admirable way of pursuing public policy.

**David McLetchie:** Spending less to achieve more is indeed an admirable pursuit. It is a pity that the Executive is not doing so in other areas of its budget. I was simply pointing out that the Executive cannot constantly puff up what it is spending and not deliver. If it would like to revise its budgetary figures, I will look forward to seeing those figures in our debate on the budget next week.

If the global figures are confusing and contradictory even in the Scottish Executive's own releases, at least some of the figures are published. By contrast, the subsidies that are paid on particular routes that are approved by the fund remain a closely guarded secret on the ground of commercial confidentiality. The minister might like to explain to members why that should be the case. I would have thought that the public subsidy that is paid per route, per flight and per passenger is a matter of legitimate public interest and that knowing it—as opposed to negotiating deals behind closed doors—would promote competition among operators. The provision of such information to the Parliament is important. We welcome the concept of a route development fund, but we must take care that it does not turn into a route dependency fund and a permanent drain on the public purse.

We must also be mindful that routes that are financed through the fund do not put unsubsidised services at an unfair disadvantage. Czech Airlines, for example, was ARDF-financed in October 2004



to run a service from Glasgow to Prague, which it did on a twice-daily basis until the service ceased to exist in August last year. Part of the reason for the failure of the service was that it was competing with an established Glasgow to Prague service that was being run by Globespan which, shortly before the announcement of the award to Czech Airlines, had agreed to expand its Glasgow operation so that there were flights daily rather than twice a week. The Czech Airlines service subsidy failed to achieve the desired result and the loss can be quantified. However, one might reasonably ask the minister whether there has been any assessment of the damage that has been done to an established business by the introduction of a state-subsidised competitor.

As Murdo Fraser said, the minister will be aware of the objections that Globespan has raised to the award of route development funding to easyJet to run an Edinburgh to Geneva service all year round when Globespan was already doing so from December to April on an unsubsidised basis. Does the minister think that that is fair competition? Does he or Scottish Enterprise have any proposals to level the playing field?

Finally, in response to questions that were asked by his Liberal Democrat colleague Mike Pringle following the collapse of Duo Airways, the former Minister for Transport, Nicol Stephen, gave an assurance that stringent evaluation processes had to be gone through before any awards were made from the air route development fund. Since the collapse of Duo Airways, there have been at least two other failures. Will the minister tell us whether the evaluation process is more or less stringent now than it was then?

I support Murdo Fraser's amendment.

10:23

**Mr Charlie Gordon (Glasgow Cathcart) (Lab):**

Twelve years ago, a Canadian entrepreneur who owned Prestwick airport said to me that Scotland is as strong a brand as Coca-Cola, but it does not have the same distribution network. How true.

For years, Scots have agonised over how—and indeed whether—to exploit foreigners' awareness of Scotland. The problem has been geographical as well as historical. Scotland is on Europe's periphery. For so-called post-industrial cities such as Glasgow, which decided more than 20 years ago to develop a major new tourism industry from scratch, that peripherality has been exacerbated by a perceived lack of visitor attractions and a negative image. Glasgow therefore devised its own brand, a series of major events to give visitors a reason to visit in the first place and its own marketing bureau. Nowadays, more people work in Glasgow's tourism industry than worked in the

Clyde shipyards in their heyday. However, the microeconomic outcome is the same as that from manufactured exports. Hard currency is brought in. There is, therefore, evidence that branding, marketing and events can help to deliver regeneration.

What applies to Glasgow also applies to Scotland, but what about the peripherality that I mentioned? The M74, which is our main road link to England and Europe, has still not been completed and our main rail link to England and Europe for passengers and freight—the west coast main line—has not yet been upgraded north of the border to a high-speed link. The UK Government cheated us out of scheduled European train services that we were promised in return for paying our share of the channel tunnel. Sadly, the Rosyth to Zeebrugge ferry service recently suffered a major setback, and it seems that ferry links between Argyll and Northern Ireland may not reopen.

Therefore, it is critical that today's debate is focused on recent real improvements in our air links and how we can do more. I only wish that we were not so dependent on an industry that is not directly accountable to the Parliament. It helps that we control some of our airports, although not the three largest. In 1973, the former Glasgow Corporation, daunted by the capital investment challenge, sold Glasgow airport for £1 million to the then publicly owned British Airports Authority, which the Tories later privatised. Not long ago, when I asked BAA what its price would be to sell the airport back to the city, it said between £0.5 billion and £1 billion. That was too rich for my blood and thus died my dream of rivalling municipally owned Manchester airport.

Since 2003 Glasgow's marketing bureau has subsidised 13 new air routes by marketing in the cities of origin. Eight of the 13 routes were helped by VisitScotland, and 11 obtained route development funding. Over three years, those 13 new routes have generated an extra 400,000 overnight stays in Glasgow and brought in £64.8 million. Glasgow's balance sheet on route development is positive, considering that two airports serve the city.

However, I must add several notes to the accounts, as it were. Glasgow international airport is about to lose its direct link to Brussels; what a pity that that was not given route development funding. Having read the *Official Report*, I still do not understand why the Edinburgh to Newark, New Jersey route was subsidised when the same route has been long established at Glasgow. I share BAA Scotland's view that the five-days-a-week criterion is too rigid, although we have heard that it can be flexible. For example, the US Airways Glasgow to Philadelphia service operates

for only six months of the year, so it does not qualify for route development funding. However, that route has generated 67,000 overnight stays and £6.6 million per year. Could route development funding not help to build a year-round service between Glasgow and Philadelphia?

Route development funding is here to stay, and we must refine it and build on its success. Nicol Stephen said in 2003 that we should use the fund to support, not distort, the market. We must bear that in mind as we continue to develop airport policies. In 2004, the UK white paper on transport development controversially predicted that Glasgow international airport's passenger traffic would rise from its current level of 7.9 million per year to 15 million in 30 years' time. The traffic in Edinburgh airport would rise from 7.1 million to 20 million. Those figures were reached only by ignoring the Department of Trade and Industry's standard methodology, by comparing Edinburgh's high-range figure with Glasgow's medium-range figure and by ignoring the Fraser of Allander institute's prospectus for the Glasgow economy, which gainsaid the white paper's pessimistic view.

This policy area, although it is not in the main devolved, is vital to Glasgow and Scotland. As we move forward, not just in debating what is going on in aviation but in developing and refining policies such as route development, I will continue to be on the alert for a level playing field. The lack of transparency that is perhaps justified by commercial confidentiality makes that task difficult.

10:29

**Tommy Sheridan (Glasgow) (SSP):** I welcome much of what Charlie Gordon said, notwithstanding his comments about the M74, on which we have a long-standing disagreement. I hope that in the future the chamber will have another strong advocate for Glasgow, not just in this debate but in many others. We could certainly do with that.

Charlie Gordon mentioned branding Scotland, and it is correct that we discuss Scotland the nation. We should discuss the fact that, as a small nation that aspires to fight above its weight in the world, we must develop first-class transport links to and from our country. Undoubtedly, part of that package has to be first-class air links. However, it is unforgivable for us as politicians, who seek to develop Scotland the nation, to forget that transport links not just to and from our country, but within our country, matter. For too long, international visitors have arrived at Glasgow and Edinburgh airports to realise sadly that, unlike the other European nations that they have visited, there are no rail links to our city centres. Those airport rail links are now in planning, which is long overdue. However, in and of themselves, the links

will be successful only if, after reaching the city centres, people can get high-speed, reliable and reasonably priced rail links to the other parts of Scotland that they want to visit, from our beautiful north and south to throughout the central belt.

I turn to transport links to and from our country. Not enough has been said about the development of high-speed rail links from Scotland to England and not enough pressure has been exerted in that regard. Not enough has been invested and not enough political pressure has been brought to bear in relation to the superferry travel links, which have been mooted but unfortunately keep seeming to fail.

We must develop the idea that short-haul flights from Scotland to England should be not applauded, but seen as a signal of our failure in Scotland to develop suitable alternative—and more environmentally friendly—forms of transport. However, I will not knock the idea of developing more direct air links from Scotland to other parts of the world. It is already the case that too few working-class families can afford an overseas holiday and the benefits of the sunshine in Greece, Spain or Cuba. I wish that more working-class families could afford flights to those countries. As overpaid politicians, we should not support the pricing of air travel further beyond the reach of working-class communities.

We should be absolutely clear that to pursue an environmental strategy for transport, we must have a more serious input into rail travel within and without our country. In five years to a decade, if we had sufficient political will, we could utilise the Eurotunnel's full potential to make air travel from Scotland to Europe not just environmentally costly but more economically costly for the individual, to the extent that rail travel would become the preferred option.

**Jamie Stone** *rose*—

**Tommy Sheridan:** Before I take the intervention, I will say that—

**The Deputy Presiding Officer:** One minute.

**Tommy Sheridan:** I apologise to Jamie Stone.

Fergus Ewing and Alasdair Morrison from the Highlands and Islands have contributed to the debate. However, it is unfortunate that neither of them mentioned the road equivalent tariff. That would be more effective than the air route development fund in opening up the economies of the Highlands and Islands and regenerating communities there. It is a pity that the Parliament has not been as proactive and as prepared to dig into its pocket to provide road equivalent tariff ferry fares as it has been to provide for an air route development fund.

We require some honesty and balance in the debate about the route development fund. The economic benefits that arise from the fund are questionable to say the least, given that it has probably generated a greater outflow than inflow of individuals and money. In and of itself, such an outcome is not to be rued. Economic growth and expenditure should be about not just economics but the ability of families and ordinary people to travel to parts of the world that were hitherto inaccessible to them. From that point of view, I argue that a little more balance is required in the Executive's promotion of the success of the air route development fund.

10:36

**Mr Adam Ingram (South of Scotland) (SNP):** Although I can sympathise with the Greens' contention that, in the UK or European context, unrestricted expansion of commercial aviation involves significant environmental costs, I cannot agree with their opposition to further development of direct air routes from Scotland to the rest of the world. Given Scotland's geographical location on Europe's periphery, it is absolutely necessary that we have first-class two-way transport and communication links overseas if we are to survive and prosper in an increasingly globalised world economy. For far too long, our businesspeople, tourism industry and travellers have been handicapped by the all-flights-lead-to-London syndrome. Stopping the growth of direct air routes from Scotland would have the effect of increasing flights to the London hub. Given the economic and environmental impacts of doing so, that would be akin to cutting off one's nose to spite one's face.

That said, the Executive is in danger of exaggerating the benefits of the air route development fund, given the lack of evidence, for example, of the fund's additionality. Should we perhaps praise rather the airlines and airport companies that have invested in direct routes from Scotland for taking the risk and making their venture successful? I would like to know just how critical the ARDF subsidy was for each of those decisions and the extent to which taxpayers are receiving value for money. The SNP supports the broad thrust of the policy, but we suggest that the fund could be more effective with better targeting.

To consider how the fund might be developed, let us take as an example Prestwick airport, which has been the major success story in Scottish aviation over the past five to 10 years. Last week, Prestwick airport announced that yet another low-cost airline carrier—Wizz Air, which is based in Budapest—would launch its first ever Scottish routes to Warsaw and Gdańsk. Those routes will be in addition to eight other routes that Ryanair operates between Prestwick and locations across

western Europe, from Stockholm to Rome. All those routes are supported by the ARDF and all are successful, whereas the success rate for all other ARDF-supported routes from other Scottish airports is, by contrast, apparently only 50 per cent.

What attracted Ryanair to Prestwick and what sets Prestwick apart from other airports? The answer is surely that Prestwick offers a combination of tight, efficient management, low landing charges and high-quality airport infrastructure. It is notable that Prestwick is Scotland's only rail-connected airport, with some 30 per cent of passengers arriving at the airport by air train. Passengers who travel on the new Wizz Air routes in the first six months of their operation will be entitled to free rail travel to and from anywhere in Scotland; thereafter, they will be entitled to half-price rail travel. Surely the message for the Executive is that, if we want to underpin future growth, we need significant investment in rail links to our airports.

Although the airport's management might not thank me for saying so, Prestwick could probably attract airlines and open new routes successfully regardless of any subsidy, but the same could not be said for its air freight business. That is despite the fact that Prestwick carries more freight than all the other Scottish airports put together. That part of the business has grown by 400 per cent over the past 10 years but, as the minister will know, growth has slowed in the past couple of years due to the downturn in electronics.

An enormous amount of freight that could be flown direct from Scotland is instead trucked down south to fly out from London and the east midlands. We could and should provide more help for Scottish exporters by extending the ARDF to freight. That would help airlines to offset risk and high start-up costs. Tipping the balance in favour of Scottish routes must surely be a strategic objective. For example, Scotland currently has no dedicated air freight routes to the middle east and China. That is a big gap that must be addressed.

The SNP amendment addresses those issues, so I hope that it will attract support from members in all sections of the chamber.

10:41

**Phil Gallie (South of Scotland) (Con):** I had intended to start by congratulating Murdo Fraser on his well-balanced and fair assessment of both the current air route development fund and what happened previously. However, having listened to the speeches that have been made—I do not exclude the minister's speech, but I refer in particular to the speeches of Kenny MacAskill, Adam Ingram, from whom we have just heard, and

some others—I must say that I have heard many well-made points in the debate so far.

Our amendment acknowledges that the Executive's introduction of the air route development fund has brought great benefits, but the amendment also reminds us, as Murdo Fraser did earlier, that previous Conservative Government policies such as privatisation have had a large input. At the time, the privatisation process was criticised by all the other parties in the chamber and by the current Prime Minister. As a shadow energy minister, Tony Blair suggested that the privatisation of the electricity companies would result in blackouts as the lights went out across the country because no new power stations had been built. How wrong he was. It is good to see that Tony Blair and other such individuals have not only converted to many previous Conservative policies, but have gone beyond them. Talking about Prestwick makes one think of air traffic control, but the Labour Government has actually privatised that. How far some of those individuals have come since the days prior to 1997.

Going back a bit further, I want to mention my experiences concerning Prestwick at the time of the 1992 election, when I was a candidate for Ayr. Happily, I was successfully elected despite the fact that the major issue for Prestwick airport was thought to be the open skies policy that was then advocated by the Government. The policy seemed to be opposed by everyone, irrespective of the party to which they belonged—even some Conservative supporters were against it—but the Government pressed ahead with what was right. To my mind, Prestwick has benefited immensely from that. Prior to open skies, the best passenger throughput that Prestwick had ever achieved was about 750,000 people in a year. Today, Prestwick's annual throughput has gone well beyond the 2 million mark, which is a real success. I recognise that the perception of air travel has also changed, but that change basically arose from the policies of the then Conservative Government.

For Glasgow Prestwick's success—I was pleased that Charlie Gordon referred to the two Glasgow airports—I give credit to a number of people. Those include George Younger, Matthew Hudson—to whom Charlie Gordon also referred—and Bill Barr. Credit should also go to British Aerospace and to the then provost of Kyle and Carrick District Council, Gibson Macdonald, who is now happily leader of South Ayrshire Council. In order not to be unfair, I also give credit to the then leader of the Labour group, Ian Welsh, who for a short time was a member of the Parliament. All of them worked towards the private takeover of Glasgow Prestwick airport and its development. I say to Tommy Sheridan that they recognised at

the time that it was all important that there should be a rail link to Glasgow Prestwick airport. They provided that link on a commercial basis, paid for it with little help from Government sources, and it has been a success, as Adam Ingram mentioned. All the decisions about the rail station at Prestwick were made on a commercial basis, and the services operate on such a basis.

**Mr Gordon:** The member mentioned the fact that Matthew Hudson built a railway station at Prestwick airport. He did, but he received grants from Strathclyde Regional Council and the local district council to do so. Phil Gallie said that he used private means.

**Phil Gallie:** I referred to the Government of the time. I accept that the local authorities provided support for the rail link. I mentioned the input of Gibson Macdonald and Ian Welsh. The airport has changed hands since then. It is now fully privatised and is making its own way. The air route development fund makes a major contribution to that.

I want to respond to Adam Ingram's point about the airlines. The airlines do not benefit directly from financial assistance under the air route development fund. The airports get that benefit, which is a major reason why Ryanair has been able to expand, mainly at Prestwick. Let us not forget that, before the air route development fund was introduced, Ryanair was offering flights to Charleroi, Paris Beauvais and Cologne. It had already established the feasibility of those flights, without the air route development fund. Its approach was based on the fact that Prestwick airport recognised the importance of being an economic venue.

Finally, it would be unfair for me not to mention environmental issues.

**The Deputy Presiding Officer:** Mr Gallie, you are way over time. You must stop now. You cannot start speaking about an entirely new topic after your time is up.

**Phil Gallie:** I am sad about that.

10:47

**Bristow Muldoon (Livingston) (Lab):** I apologise to the opening speakers and to you, Presiding Officer, for not being here for the opening speeches.

I am astounded that, given the phenomenal success that Mr Gallie believes the Conservative Government's transport policies and his contribution as the member for Ayr were, the people rewarded them with such ingratitude as to vote them out of office in 1997. Obviously, they did not understand Phil Gallie properly. Mr Gallie's case—that the growth of aviation in Scotland is

down to the privatisation of BAA—might be more credible if it were not for the fact that Manchester airport continues to be a thriving success as a municipally owned airport.

Air transport is vital to Scotland, for the reasons that a number of members have mentioned. Scotland's geographical peripherality, in both the UK and the European Union, makes transport more important to the Scottish economy than it is to probably any other economy in the European Union. Of course we should have a range of transport links between Scotland and other parts of the world. Rail, road traffic and ferries are important, but air travel is an essential component of a modern developed economy. If Scotland is to continue to grow its economy in the years ahead, as most of the parties that are represented in the Parliament aspire to do, air transport has a vital role to play. It contributes to making Scotland a more attractive destination for tourists. There is much more that we can do to promote Scotland internationally as a tourist destination. As many members have recognised, air travel also gives Scots opportunities to travel. We Scots have a high propensity to travel, not just because of our peripherality, but because throughout our history we have been an outgoing nation. Air transport enables Scottish businesses to grow, to sell their products internationally and to promote themselves. I suggest that it also encourages other businesses to choose to locate in Scotland, which they would not do if we did not have direct links.

Undoubtedly, much of the growth that has taken place has been the result of the process of globalisation and the way in which the market has driven the aviation industry. However, the air route development fund has made available some routes that might otherwise have been on the margins of profitability and has provided the air companies with an opportunity to test them out. We can see the benefit of that in many areas, through the links that have been developed from Glasgow to places such as Dubai, Prague and Barcelona; from Prestwick to Girona and Bergamo; from Edinburgh to Newark and Cologne; and from Aberdeen to Copenhagen. Some of the internal links that have been developed, such as the route from Inverness to Birmingham, are also important. If we continue to support the policy, aviation will continue to grow in Scotland and there will continue to be growth in the Scottish economy on the back of that growth.

I move to the position of the Greens and many environmental groups. As I mentioned earlier, it is of course the case that we support the development of other services, such as ferry links to Europe. We want rail travel internally in the UK and, where appropriate, between the UK and other parts of Europe to grow. However, the Green

position is about Scotland turning its back on the world and turning away from the international community. It demonstrates the incongruity of the Greens' support for nationalism.

**Mr Ruskell:** I am sorry that the member was not here at the beginning of the debate, because he would have heard me speaking positively about links such as ferries and Eurostar. Does he believe that we should prioritise investment in ferry and train services over air travel?

**Bristow Muldoon:** I apologise that I was not in the chamber to hear the member's opening speech. I have no doubt that he advocates growth in ferry and rail travel. I, too, wish to see growth in those areas. However, we must have a range of transport links between Scotland and other destinations. We must also be realistic that many people and businesses will not choose to locate themselves in Scotland if the only opportunity to travel between Scotland and mainland Europe is by ferry or rail, which takes considerably longer than air travel. We must have a range of travel opportunities, a vital component of which is air travel.

I return to my point about the incongruity of the Greens' support for nationalism. The Greens make the point that aviation is not taxed to the same extent as other modes of transport. However, international co-operation is the only way in which there will be any equalisation of taxation between aviation and other modes of transport. As part of the United Kingdom, Scotland will have a far bigger role in driving forward that environmental agenda than it would have on its own. The link that the Greens make between nationalism and environmentalism completely undermines their case. The position of the SNP is completely different from that of the Greens, which demonstrates that the cuddling up between Mr Salmond and the Greens prior to Christmas is a dangerous liaison that is bound to end in tears. I suspect that the Greens will be the crushed party in that liaison.

Aviation is vital to Scottish economic development. The growth in links that we have seen in recent years has been good in providing travel opportunities for Scots and in developing business links. The air route development fund is a component of that growth. Much of it is driven by the market, but the fund makes an important contribution towards ensuring that Scotland improves its connectivity with the world.

10:53

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I echo what Andrew Arbuckle and Bristow Muldoon have said. Tommy Sheridan hinted at the same point: namely, that travel per se

is a good thing. It is right and proper that people should be able to afford to travel to other lands, because in that way they will get to know those lands and their peoples. That will kill xenophobia, so ultimately travel has a peace-making role to play in the world. Let us not forget that when we talk about travel.

It will come as no surprise to the minister that I would like to take the opportunity to draw the chamber's attention to the situation that prevails at Wick airport—the only airport in my constituency—about which I gave notice in a speech that I made last week.

I will speak briefly about the timetabling of flights into and out of Wick airport. It is possible to fly from Edinburgh at 10 o'clock and to arrive in Wick at 11.10. To return the same day, one has to take off from Wick at 10 minutes past 2. Those times are quite hopeless for, say, a Government minister who wants to attend an engagement in Caithness or parts of Sutherland, because no sooner will they have arrived than they will have to turn round and get back on the return flight. Indeed, that is why in all my time as an MSP I have made only one return trip by plane to Wick. I almost always travel by road and—very seldom, it must be said—by rail. I realise that that is not best for the environment.

If a tourist in Edinburgh wishes to travel north to Wick and Caithness tomorrow, they will have to pay an eye-watering £309.70 for a plane ticket. If they decide to book ahead a little and fly to Wick on 24 January, they will pay £285.70. If they decide to book well ahead and to fly up on, for instance, 2 October, their ticket will still cost £265.70.

Those figures, for which I am obliged to the Scottish Parliament information centre, sit very unhappily with the cost of other return flights into and out of Edinburgh. A return flight from Edinburgh to Nice with Lufthansa costs £189; a return flight from Edinburgh to Milan with BMI costs £176; a KLM return flight from Edinburgh to Milan in March costs £164; and a return flight from Edinburgh to Málaga with Globespan costs £134. Most astonishing, a return flight from Edinburgh to Prague in March will cost £101.

People in my constituency can ill afford the costs of flying. In addition, I am sure that it will come as no surprise to the chamber to find that there are no return flights whatsoever from Wick to Edinburgh on a Saturday or Sunday. The very best that I can say to the minister is that we in the far north fear that we are being ripped off. I believe that flight times and, more important, the costs of flying run counter to our efforts to promote tourism and to build on the great potential for Dounreay to become a centre of excellence after it is decommissioned.

I do not want to take away from the fact that the Executive has been delivering on its commitments; indeed, I applaud what the minister has said this morning. In particular, I am grateful that Wick airport's main runway has been resurfaced. However, I urge him to examine the problem.

As Alasdair Morrison pointed out, Barra airport enjoys a PSO with Glasgow airport. What is the difference between the very far north of Scotland and an island? Okay—an island is surrounded by sea. However, Caithness has only one rail link and one road link—the A9. Because both can get blocked in bad weather and during the winter, the area can effectively become an island for certain periods.

**Fergus Ewing:** Does Jamie Stone agree that the solution to the problem has nothing to do with the air route development fund and everything to do with the Executive's commitment to working on and implementing the Highlands and Islands transport partnership's proposal, which aims to reduce flights in the Highlands by 30 per cent? Does he feel ashamed to be part of an Executive that has so manifestly failed to deliver on its pledge to his constituents?

**Mr Stone:** I am sure that it is easy to be tempted by Mr Ewing's charms, but I must inform him that I do not feel ashamed. The reality of politics is that we have to work with ministers in the Executive. We have to make a persuasive case; find support; and work with ministers to secure our aims. Indeed, as in the case of the Caithness maternity service, the way forward is to put up a united front and work constructively with ministers. I have every expectation that my good friend Tavish Scott will hear my concerns and instruct his officials to find out how the matter can be addressed. I have no idea how Mr Menzies Campbell and others view the problem, but Mr Ewing can rest assured that during the hustings for my party's leadership contest I will ask that very question—if the candidates know where Wick is.

**The Deputy Presiding Officer:** Notwithstanding Mr Ewing's late intervention, I can still offer Mr Mather five minutes.

10:59

**Jim Mather (Highlands and Islands) (SNP):** Thank you, Presiding Officer.

I speak in support of Fergus Ewing's amendment. I should first make it clear that I am pleased that this good idea has been adopted, as it will have a positive impact. Indeed, like Mr Ewing, I am happy that the Executive is implementing our proposals. However, if it had adopted more SNP policy, fewer routes would have needed development finance and less money would have been required as a result of

higher growth. That said, we are where we are, and we advocate that more should be done to generate even higher local and national growth.

I will build on points made by my colleagues Kenny MacAskill and Adam Ingram by focusing on two airports that make it clear that something more must be done. Between 1999 and 2005, Prestwick airport experienced a 207 per cent growth in passenger numbers, while passenger numbers at Inverness airport grew by 62 per cent. We acknowledge factors such as the public-private partnership inhibitor at Inverness airport and the greater impact of lower-cost carriers at Prestwick. However, it is incumbent on us to find out what else can be done to address the situation. After all, an extra 501,000 passengers would have passed through Inverness airport if growth there had matched growth at Prestwick. Surely Inverness and the Highlands have the pulling power to justify such an aspiration. As a result, we should not only examine national transport policy but drill down into the regions, particularly those where growth can be readily achieved.

Moreover, we should consider maximising the potential of certain aspects of transport policy. I acknowledge that the air route development fund is already helping the Highlands and Islands, especially as a result of the good sense and generosity demonstrated by Prestwick in pumping out people to travel elsewhere in Scotland. However, that airport's pulling power of low-cost travel, Burns and golf can be easily matched by what can be offered in the majestic Highlands and Islands.

Given that the minister is committed to national and regional growth in Scotland, I wonder whether he shares my opinion that, according to any objective assessment, PSOs allow schedules, frequencies and fares to be specified, which offers smaller airports and communities more than the aid of a social nature that they could receive if the granting of a PSO was not justified. I apply the same caveat to charges. Historically, reductions in airport charges have not reduced fares but have merely changed the timing of service commencement.

I am not alone in believing that. I note with great interest Jamie Stone's support for the notion that PSOs have reduced fares, have increased traffic and have thereby improved local economies. Moreover, Alasdair Morrison said that we need to examine and implement new approaches in imaginative ways that do not stifle competition. We would all sign up to that sentiment.

**Mr Stone:** A new coalition might be developing.

I think that I am protected by the chamber in making these comments, but does the member agree that British Airways might well be making a

hefty profit from the flights from Edinburgh to Wick that use Inverness airport and that the company should be shamed into offering cheaper fares?

**Jim Mather:** We have a free market and I suggest that we should simply let it run. However, in BA's hands, the market risks freezing out regional hubs by centralising services. I know that, for example, the new service, BA Connect, has frozen out Belfast. If that can happen to Belfast, it can happen elsewhere. As a result, we should give special consideration to the HITRANS proposition and question whether the likes of aid of a social nature will be enough to do the job.

We welcome the prospect of markedly lower fares for residents, travellers who are under 25 and over 60, families travelling with minors, disabled people and invalids. However, that might not be enough. Indeed, I do not think that it is enough to attract the visitors, business travellers and economic investment that we need. The route development fund can be—and is being—used effectively, but we need to go further and consider other steps, including the use of PSOs. In a growing, ambitious Scotland, companies will bid for those routes. That, in turn, will lead in the long term to growth that will allow us to ratchet back on the cost of development fund payments. Perhaps in such a climate aeroplanes will bring not just travellers but influences that will take us to another place.

11:04

**Mark Ballard (Lothians) (Green):** During last week's debate on sustainable development, I criticised the title of this debate on the economic benefits of the route development fund. Although we have not yet convinced others of the fund's environmental disbenefits, our amendment certainly makes it impossible for the chamber to ignore them.

In his opening speech, Mark Ruskell said that we must consider the economic, social and environmental impacts of development if it is to be sustainable. What is a sustainable future for the aviation industry? Even Tony Blair says that we need to make a 60 per cent reduction in the 1990 levels of carbon dioxide emissions by 2050. In fairness, that would mean that the aviation industry would have to make a 60 per cent reduction in the 1990 levels of its carbon dioxide emissions. Why should we help the aviation industry above other industries in Scotland or internationally? If the aviation industry continues to grow at the current predicted rate, by 2050 it will be the single most important emissions sector. That is not sustainable; more than that, it is not fair.

**Mr Morrison:** This morning I cited one example of the development of a direct route between the east and west of Scotland—between Stornoway and Aberdeen. Would the member concede that one plane journey is infinitely better than a plane journey, a train journey and two taxi journeys?

**Mark Ballard:** I do not know whether Alasdair Morrison has the figures for the carbon dioxide that is emitted by a single plane journey versus that which is emitted by a plane journey and a train journey, but I think that it would be about the same.

As was said during last week's debate on sustainable development, we need to make tough choices on environmental issues. We need international action. I welcome the fact that Andrew Arbuckle, among others, called for international action, but his position seems to be, "God, give us aviation taxes—just not yet." The truth is that those aviation taxes are coming. We need to reduce carbon dioxide emissions to sustainable levels, but at the moment we are investing in the wrong direction and the wrong things. We are supporting an industry that needs dramatically to reduce its emissions.

**Brian Adam (Aberdeen North) (SNP):** At what level would the Greens levy those taxes?

**Mark Ballard:** The first thing that the Greens want is the removal of the £6 billion air travel subsidy that comes from the taxpayer. Given that there is no tax on aviation fuel at the moment, the most polluting form of travel is subsidised.

We need action to reduce carbon dioxide emissions by 60 per cent. Part of that will mean increased prices; part of it might mean a reduction in route availability, although that is impossible to judge. However, it is right to say that we need international action and that we need to play our part in that.

We must therefore acknowledge that we are making the wrong investment. Charlie Gordon was right about the need to invest in ferries from Ballycastle to Argyll. Mark Ruskell highlighted the way in which the Rosyth to Zeebrugge ferry has been far more effective in generating economic benefits than the route development fund. Tommy Sheridan was right to say that there is a need for road equivalent tariffs in the Highlands. If we are investing in tourism and route development, we must invest in those routes.

The Friends of the Earth report lays out the costs of aviation to the Scottish economy. For example, 1.5 million people come into the country and spend £866 million, but 4 million people leave the country and spend more than £2 billion. We should consider that when we think about how we can benefit the economy and about the economic benefits of aviation.

I challenged Alasdair Morrison on his point about Dubai. Anyone would admit that more Scots would go from Scotland to spend money in Dubai than would come from Abu Dhabi and Dubai to spend money in Scotland.

Kenny MacAskill's defence was that flying directly from Edinburgh to Dubai would somehow avoid the necessity of short-haul flights. As he went on to say, the truth is that a businessman will normally go on to make a short-haul flight from Dubai to somewhere in south-east Asia. There is no gain to be had by taking a short-haul flight to a London hub and then another to a final destination over taking a flight from Edinburgh or Glasgow to Dubai and then a short-haul flight on to a final destination.

We have to be clear that we are making the wrong investment in a polluting form of transport that is still used overwhelmingly by the rich. It is a form of transport that means that it is cheaper for me to go for a weekend break to Belgium for 49p, as Murdo Fraser did, than to go to Pitlochry or Aberfeldy in his constituency. That is money lost to Scotland.

As members have said, the future is in investing in rail and the public transport solution. Tommy Sheridan and Tavish Scott were right that, in future, rail must be the preferred, cheapest and most sensible choice for people going down to London. That means investing in rail and the Eurostar and not making this mistaken investment in the air route development fund. That is the future; we should be investing in it now and not waiting for international action. That is why I urge all members to support Mark Ruskell's amendment for an economically and environmentally sustainable future for travel in this country.

11:10

**Maureen Macmillan (Highlands and Islands) (Lab):** I remember very well the day that the route development fund was announced because I had to go on to the Lesley Riddoch show and talk about it.

**Mr Morrison:** The late Lesley Riddoch show.

**Maureen Macmillan:** Not the late Lesley Riddoch but Lesley Riddoch's late show.

What I remember most about the show was that another item on the programme was about bats in the attic. I say to Mark Ballard that I am very tempted to make the connection between bats in the attic and some of the things that we have heard today from certain members in the chamber.

Mark Ballard knows that I have sympathy with him when he says that air transport is the most polluting form of transport, but we cannot ban it.



**Mark Ballard:** Will the member take an intervention on that point?

**Maureen Macmillan:** Either Mark Ballard is against air transport or he is for it; he cannot pick and choose.

**Mark Ballard:** I am interested in the member's position. Given the fact that Tony Blair says that we need to make a 60 per cent reduction in carbon dioxide emissions, what percentage reduction in emissions should come from the aviation industry, and what impact would that have on flights?

**Maureen Macmillan:** We cannot pluck a figure out of the air. We have to take action internationally by negotiating first with our partners in Europe and then, I hope, over time, with other countries around the world. We cannot say unilaterally that we are going to stop using aircraft.

**Mark Ballard:** I am not saying that.

**Maureen Macmillan:** Basically, the member is indeed saying that. He talks about the road equivalent tariff but that would mean that people would have to go by ferry. If an oil rig worker wants to get from Stornoway to Aberdeen to catch a helicopter, he will not go to Aberdeen by ferry.

**Mr Morrison:** He could go by canoe.

**Mr Stone:** Or rubber-band aeroplane.

**Maureen Macmillan:** Yes—by canoe or whatever.

I agree about the balance between, say, a flight from Edinburgh or Glasgow to London and the train. The journey time is about the same and it is more convenient to go from city centre to city centre rather than go to the airport, hang about waiting for a flight, be processed at both ends and then have to get to the centre of London. However, the fares are disproportionately out of kilter. I agree with Tommy Sheridan and with the minister, who said that we have to see whether internal rail services can compete better with internal flights—particularly cheap internal flights. However, such an exercise would not work in relation to Inverness, for example, because the distances are just too great and rail could never compete with aircraft on time or price.

The other thing that I remember about that Lesley Riddoch show was that it took place around the time that Kenny MacAskill was vociferously trying to get Ryanair accepted at Inverness airport. Ryanair actually bullied Highlands and Islands Airport Ltd something rotten and tried to get prices that undercut any other airline that was flying out of Inverness at the time, including easyJet. I am really interested to see that the SNP and Phil Gallie are punting Ryanair again.

**Tommy Sheridan:** I am glad that Maureen Macmillan mentioned Ryanair. Does she agree

that it is a pity that the SNP has trumpeted Ryanair so much without mentioning the fact that it refuses to recognise official trade unions such as the British Air Line Pilots Association and the Transport and General Workers Union?

**Maureen Macmillan:** Yes, I agree with Tommy Sheridan. Perhaps I should also point out Ryanair's policy of flying old-age pensioners to Hamburg and leaving them there.

**Mr Stone:** So that is what happened to Winnie Ewing.

**Maureen Macmillan:** Do not be cheeky.

Budget airlines come with a health warning, but they have a strong part to play in our business sector and tourism industry.

I want to concentrate on Highlands and Islands Airports Ltd because it has achieved considerable success in route development in recent years through new routes in the Highlands and Islands and the new, cross-border UK services to London, Belfast, Birmingham, Bristol and Manchester. HIAL also provides seasonal services to Scandinavia from the Highland region. The Executive's air route development fund has played an important part in delivering many of those routes, but not all of them. However, the ARDF gave a kick-start to the process and other developments followed on.

We have our priorities in the Highlands and Islands about what we want to see next. We want air networks serving the Highlands and Islands that provide good business connections. Jamie Stone and others have mentioned that. We need to support in-bound tourism and promote social inclusion. We want direct air links between Inverness and Europe, more direct links with the UK regions from Inverness and enhanced frequency and capacity of existing intra-regional and intra-Scotland services. HITRANS is working with the Executive on a hub scheme for the Highlands and Islands that will deliver air services from Inverness—Inverness will be the hub for the Highlands, and all the smaller airports will be the spokes.

It is worth noting that the UK and European aviation markets are very competitive, with airports competing for airline business. The primary concern for airlines is where they can achieve the highest passenger volumes and yield, and therefore profit. HIAL is working hard with its partners in the region on business cases, which I hope will be successful, and I hope that the Executive will support them.

11:17

**John Scott (Ayr) (Con):** This has been an interesting and worthwhile debate. As expected, we heard the minister extol the virtues and

benefits of the air route development fund. Perhaps surprisingly, the Conservatives largely agree with him. Of course, as Murdo Fraser and Fergus Ewing said, the fund must not be used improperly to undermine existing flights and routes or distort the air fares market. Murdo Fraser and David McLetchie pointed out that much of the current growth in air travel is the result of the deregulation of the air travel market in the 1980s and 1990s. However, as Phil Gallie noted, that is only part of the story.

Tavish Scott and Alasdair Morrison drew attention to the really significant point, which is that air traffic is growing worldwide. European low-cost airlines in particular, as Kenny MacAskill said, have identified an opportunity and have grown point-to-point air passenger travel enormously in Europe in the past five to 10 years, cutting out the need, in an environmentally helpful way, to use the London and European hubs. EasyJet and Ryanair have led the way in low-cost routes and their share prices demonstrate that that model is here to stay. Indeed, talk of an impending bid for easyJet by the FL Group emphasises the point that the conventional carriers are trying hard to get into the low-cost market.

One must view the route development fund in the context of the market capitalisations, annual turnover and profits of companies such as British Airways, Ryanair and easyJet. Of course, £14.4 million from the route development fund over the next three years is important, but it is only an incentive for carriers perhaps to try out a new route. New routes, in turn, help to encourage overseas travel, which helps our businesses and businessmen and our tourism industry. That is particularly the case at Glasgow Prestwick airport in my constituency, to which Charlie Gordon referred when he spoke affectionately of Matthew Hudson, who developed the airport in the 1990s. Indeed, the ARDF has helped to establish eight of the Ryanair routes that operate from Prestwick. Another carrier, Wizz Air, announced this week that it, too, will operate from Prestwick, flying to three destinations in Poland.

The ARDF supports such routes, but the major beneficiary is perhaps our tourism industry. Prestwick is Scotland's fastest growing airport, with almost 2.4 million passengers a year passing through its doors. That passenger traffic gives tourism in Ayrshire and south-west Scotland a huge opportunity. The Ayrshire economy alone benefits by between £13 million and £18 million annually from that tourism trade. Scottish Enterprise has calculated that 700 jobs will be created Scotland-wide because of the ARDF and that the ARDF will generate £300 million of inward investment over 10 years. Despite Mark Ruskell's comments, those two statistics suggest to me that the modest £14.4 million investment is worth

while. Kenny MacAskill passionately noted that point, too.

An area in which route development funding has yet to be introduced is air freight, as Adam Ingram mentioned. I believe that that is an important area to be looked at. Indeed, I inform the minister that I put that suggestion to the First Minister nearly two years ago and I had hoped that funding for air freight might have been introduced by now. I understand that the Local Government and Transport Committee is carrying out a freight transport inquiry and I very much hope that it will examine the potential for increasing air freight using air route development funding. I state unashamedly that a fog-free Prestwick, with its 3,000m runway and high-speed rail link, is the best-placed Scottish airport for the air freight market. I seriously hope that that possibility will be considered in the committee's inquiry. The fly in the ointment is, of course, the environmental costs, as Mark Ruskell pointed out, but the way to deal with that is through an international approach to carbon emissions.

I return to the use of the ARDF in developing Scotland's international connections through tourism—particularly golf tourism, which is potentially one of our biggest earners. That market is expanding hugely in Ayrshire because of inbound traffic from Scandinavia, particularly from Gothenburg, to which the minister alluded. Swedish golfers can leave home early, have a round of golf on one of our famous links courses on Scotland's riviera, have lunch, have another round of golf and return home the same evening. That market is burgeoning. Five years ago, no one would have considered that likely at all, but it has happened, due in part to the seed-corn funding of the ARDF. That golf market is just one example of a measurable, positive benefit from the ARDF—there are many more across Scotland. That is why we support the Executive's motion and ask the Parliament to support our reasonable amendment to it.

11:22

**Brian Adam (Aberdeen North) (SNP):** We have had a wide-ranging debate. The Executive's motion refers to the air route development fund and Scotland's connectivity and almost in passing mentions rail. That was referred to in the debate. The Greens have proposed an amendment that focuses, not unexpectedly, on environmental issues. We have heard the Greens' views on the global strategy for the reduction of CO<sub>2</sub> and so on, but they have failed to explain in the debate how that would affect us at a local level. We should, by all means, consider strategic issues. The Executive's motion, which is fully supported by the SNP and all the other parties, as far as I can see, is happy to recognise that there are environmental

impacts and that we wish to act internationally to address them.

The Greens have failed to tell us in the debate how their proposals would impact locally and what the cost impact would be on individuals who wish to travel abroad. The Greens have not told us whether the many Scots who enjoy the opportunity to travel by air for business or pleasure would be affected by their proposals. The Greens are not being open with and fair to the public about proposals that could result, for example, in increases in air fares of £10, £50, £100 or whatever. When a party advocates additional taxes, it has a duty to explain that precisely to the public.

**Mark Ballard:** The point is that we need to reduce CO<sub>2</sub> emissions from flying by 60 per cent globally. How we do that is, as Brian Adam said, an international question. However, Brian Adam is making a mistake in deluding people in Scotland that they can continue to fly in the same numbers, because they will not be able to do that and reduce CO<sub>2</sub> emissions by 60 per cent.

**Brian Adam:** Yet again, the member failed to explain how his global strategy would affect us locally—I gave him one more chance, but he fluffed it.

I move on to the more positive aspects of the debate. The SNP amendment accepts that the ARDF is one main driver of growth in the Scottish economy. While the fund may not be the sole contributor to that growth, it is certainly a significant one. I accept the figures that the minister gave earlier that revealed a considerable increase in international connectivity as a consequence of the fund. I hope that he will be gracious enough to accept that the policy was advocated by my colleague Mr MacAskill long before the Executive adopted it. However, the authorship of the idea is not terribly important; the important point is that it works for Scotland.

The SNP amendment asks the Executive to stand back and view how the fund has worked and how we might improve it. The positive point that some Conservative members made about ensuring that the fund is open and does not lead to distortions in the market should also be addressed. One or two questions have been raised about the fund in that regard; the issue requires review.

Our amendment also mentions that we should “seek to remove barriers to further success in aviation”.

How might that happen? One possibility, which was proposed by my colleague Adam Ingram and reinforced by John Scott, is the extension of the fund to cover air freight.

The route development fund is a short-term measure. We will sometimes support a new route

that does not work, but, so far, the great majority of new routes that have received support from the fund have worked. There is a risk that we will not succeed, but unless we take risks we will not achieve the expansion in the economy that we desperately need.

The disastrous PFI/PPP arrangements have been a barrier to growth in services, particularly at Inverness. We must ensure that history is not repeated and that we address all the barriers.

The introduction of 24-hour opening at Aberdeen airport, in my constituency, has removed a significant barrier and made a significant contribution to the great growth there. As other members have praised the role of individuals in relation to airports in their constituencies, I point out that, since Andy Flower took over as the manager of BAA Aberdeen, we have seen real growth. I encourage the Executive, in considering the barriers that exist, not only to talk to BAA and the other airport operators, but to engage actively with all the airlines.

The response to a parliamentary question that I lodged shows that we have not gathered data on the final destination of passengers who arrive at Scottish airports, although we may be on the point of beginning to gather it, which would be invaluable for the development of new routes. We could use the information to encourage airlines from all over the world to provide services to Scotland. I encourage the minister to consider that.

I have mentioned only some of the barriers that could be removed and some of the changes that could be made. Not all those changes would require public expenditure. We should engage with all the players to make changes happen. We must also address any infrastructure issues. For example, if Aberdeen airport's runway was extended by a short distance, more types of aircraft could land, and the ones that already land could do so with improved loading capacities. That move would encourage more efficient use of the runway and air space and might even be more environmentally friendly.

We are more than happy to endorse the Executive motion. I commend the SNP amendment, which would add positively to the motion, and I encourage members to support it.

11:30

**Tavish Scott:** Members from across the parties have made good speeches in this positive and thoroughly enjoyable debate. A debate in which Fergus Ewing and Phil Gallie agree on so much is rare. I enjoyed several speeches, particularly Kenny MacAskill's withering demolition of the Greens, which was something to savour. As

Alasdair Morrison, Murdo Fraser and other colleagues mentioned, we have today arguably observed the death of the Green-SNP coalition. However, on the whole, the debate has been positive.

I apologise to Bristow Muldoon if he was late today as a result of the transport system—we will do our best to address that. It was good to see David McLetchie back to full fighting political fitness. In a consensual debate, he still got a rather un-Cameron-like sense of irony into his remarks. It was brave of him—far braver than I would be—to contribute to a debate on different modes of transport.

We could all do without yet another lecture from the Greens about the fact that they are the only ones who care about the environment. All members have views about the environment, which we express differently. As the Arbuthnott commission report on voting systems has been published today, perhaps we can recommission Professor Arbuthnott to examine the single transferable speech that we get from Mr Ballard on these occasions.

Fergus Ewing made several serious points. Brian Adam talked about who should receive the credit for the measures that we are discussing. I in no way claim the credit, but one member made the fair point that it was Lewis Macdonald, the then deputy minister with responsibility for transport, who introduced the policy formally. I pay tribute to the members from different parties who pursued the construction of a generic scheme, as the fund provides considerable benefits to the wider Scottish economy. Ultimately, it is the Opposition's job to push the Government and the Government's job to take action, which is what we have done and will do again.

Significant economic points have been raised in relation to the jobs that go with aviation. The issue is not just people who work for airlines; a strong argument was made about maintenance facilities at several airports, particularly Prestwick. I understand that more such jobs could be created. The crucial point is that if we invest heavily in our education system and high-scale economy, we will create more of the well-paid specialist aviation engineering jobs that we have at Prestwick and, to a lesser extent, in other parts of Scotland. We should advocate Scotland as a centre of aviation excellence and work hard across portfolios and the parties to achieve that.

I accept Brian Adam's point that we need to meet the airport operators to discuss the challenges. I have already met all the airport operators in Scotland, including BAA, HIAL and the managing director of Prestwick airport, to discuss the issues. I also meet the airlines regularly, although I see Loganair rather more regularly—some members will know why.

Fergus Ewing's amendment is a little unnecessary. One of its substantive points is a request for a review of the fund. However, our national transport strategy consultation, which will start in short order, will provide an opportunity in Parliament, the Local Government and Transport Committee and further afield to deal with many of the arguments and to consider the issues that have been raised today and the wider connectivity arguments that have been raised in the past. After the consultation, the Parliament will consider, by the end of the summer, a formal national transport strategy for Scotland that will deal strongly with aviation. Murdo Fraser and others mentioned the need for a specific assessment of the routes that have received support. We will do that during 2006, although I cannot ignore issues of commercial confidentiality.

Another substantive point in the SNP amendment concerns freight. Fergus Ewing and other SNP members made a fair point on that, as did members of other parties, for example John Scott. The freight strategy consultation is under way, and we aim to have a freight strategy that deals with air freight as part of the national transport strategy that will be in place by the summer. I welcome the consideration by the Local Government and Transport Committee—convened by Bristow Muldoon—of those issues; we will take on board its recommendations. Adam Ingram made a fair point about middle eastern connections and freight routes. I am sure that we all want to consider those issues.

Murdo Fraser made a spirited contribution on the benefits of liberalisation and privatisation. As he was extolling the virtues of those processes, I reflected on Lord King's role, and on where his peerage came from. Far be it from me to make any further observations, but I remember the strong arguments from other airlines about access to Heathrow during the 1980s, when all the privatisations were going on. It was difficult for those of us who argued the case at the time to get any airline other than British Airways into Heathrow. That issue remains with me to this day. We had liberalisation, but not when it came to access to Heathrow.

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

**Tavish Scott:** I am going to move on.

I wish to deal with some of the more questionable environmental points that were raised by various members. It is ridiculous to argue that more money might be spent by Scots abroad than is brought into Scotland by visitors and business travellers. First, that fails to take into account the fact that some places are more popular destinations than others. It is somewhat pointless to blame the Scottish Executive, or indeed any political party, for our comparative lack of sunshine or our distance from the main

economic, religious or cultural centres of the world. Secondly, there is an environmental argument regarding transport subsidies. However, as many members have rightly pointed out, it is disingenuous to suggest that those matters can be solved just in Scotland. On the one hand, such matters are reserved, and on the other hand they are truly solvable only at an international level. That is important in the context of Mr MacAskill's observations about what happens when planes circle over Heathrow—a significant point, which the Greens ignore at their peril.

My response to Mark Ruskell's comments on sea services is yes, but his figures on the contribution of the public sector were wide of the mark. To suggest that only £1 million has gone into Superfast Ferries ignores investments such as the freight facilities grant. If the Greens are going to make an argument, for goodness' sake can they get the facts right? Mr Ruskell was wrong about Eurostar. The company said just last week that it now has a 71 per cent market share of air and rail routes between London and Paris and that it experienced a 14 per cent rise in sales of business-class tickets in the past year alone. That rather gives the lie to the suggestion that rail is not working as an alternative to air.

Another important aspect of the environmental argument is the Scottish tourism industry and its commitment to sustainable development. On our ambition to make Scotland one of the world's leading sustainable tourism destinations, responsibletravel.com has ranked Scotland as the best eco-destination in Europe and the ninth best in the world. My colleague Patricia Ferguson is working on the green tourism business scheme, which is already Europe's largest green tourism accreditation scheme. Transport is very much part of that approach, which is widely welcomed throughout the industry. In addition, the airlines are considering introducing environmental labelling and using the quietest and most fuel-efficient aircraft. Flybe, for example, is replacing its existing fleet with Q400 aircraft, which provide a 30 per cent improvement in fuel efficiency. The market is driving change from an environmental perspective.

Charlie Gordon made a serious and thoughtful speech, although I point out that, in the context of Glasgow, Emirates has been the largest single investment of the route development fund so far. That should be borne in mind by a number of members. However, I share Charlie Gordon's disappointment with regard to the Brussels link, and I will be happy to consider what can be done. Alasdair Morrison made the right arguments about our internal routes. It is disappointing for me—and I suspect for Alasdair—that the Greens dismiss so easily the improvements to island life and the challenges that so many of us face.

**Mr Ruskell:** Will the minister take an intervention?

**The Presiding Officer (Mr George Reid):** He must wind up.

**Tavish Scott:** The Greens do not care about the fact that, compared with having to use two taxis, a train and a plane, a direct route with an hour's flight is an improvement for local people. Some of us care about rural transport issues, but clearly the Greens could not care less. To pick up Jamie Stone's point about PSOs, we will use that mechanism wherever we possibly can. In the context of Jim Mather's remarks, we will find the best mechanism to achieve the objective of reducing air costs.

The fund has succeeded in its initial objectives. It shows the value of limited public sector investment. It is not by any means a permanent initiative; rather, it is intended to develop an air network that meets, as far as possible, the needs of Scottish business, including our tourism industry. The fund has shifted the perception of Scotland as a market in its own right. The fund is leading to significant economic benefits—low levels of investment by the Executive are forecast to lead to high levels of benefit. Airlines and airports have embraced the concept of the fund as a true example of partnership and risk sharing. On that basis, I encourage Parliament to endorse the motion.

## Question Time

### SCOTTISH EXECUTIVE

#### General Questions

11:41

#### Longannet Power Station (Sewage Sludge)

**1. Mark Ballard (Lothians) (Green):** To ask the Scottish Executive what its view is on the continuing burning of sewage sludge at Longannet power station, in light of the legal ruling that the practice should end in December 2005. (S2O-8747)

**The Minister for Environment and Rural Development (Ross Finnie):** The ruling by Lord Reed in the Court of Session was to refuse to grant declarator as sought by ScottishPower either that sludge pellets were not waste, or that the Scottish Environment Protection Agency's variation notice erred in law.

It is for SEPA to decide how to enforce the Waste Incineration (Scotland) Regulations 2003 (SSI 2003/170) in individual cases and I understand that SEPA is serving an enforcement notice requiring ScottishPower to come forward with proposals that would allow it to provide an alternative to burning the pellets in Longannet power station.

**Mark Ballard:** The minister will recognise the gravity of the situation, given the fact that 50 per cent of Scotland's sewage sludge, including sewage sludge from my region, the Lothians, is currently burned at Longannet. First, when the Greens previously raised the issue with the environment department, what action did the minister and Rhona Brankin take to discuss it with ScottishPower? Secondly, what information does the minister have from SEPA about when the situation at Longannet will be cleared up and Longannet brought in line with the legal ruling?

**Ross Finnie:** Right from the moment at which SEPA issued the enforcement notice we were fully apprised of the implications of how sewage sludge is dealt with in Scotland. Immediately upon Lord Reed's ruling we were even more apprised of that. As I said in answer to the first question, SEPA is seeking to enforce the notice in such a way that, with ScottishPower, it finds a solution that would provide an alternative means of disposing of sewage and that would comply with the regulations. That would be a practical and pragmatic step. I share the concern of Mr Ballard, and every other member, about the real difficulties of achieving that solution but, as the alternative is simply taking all that sewage to landfill, SEPA is right to seek a practical and pragmatic solution,

without breaking the law. That seems sensible; I hope that members agree with me and SEPA.

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** Does the minister agree that the Executive can learn lessons from the United Kingdom Government's declared intention to back a large rise in the amount of waste that is incinerated rather than being sent to landfill? Does he agree that the Executive should similarly take advantage of the new technologies for the heat treatment of waste?

**Ross Finnie:** I do not know whether Ted Brocklebank is suggesting that the Executive should pay for those new technologies. We initiated discussions with SEPA and we made the point that it should have discussions with ScottishPower. They should use whatever technology is available to them to arrive at a practical and pragmatic solution that tries, as far as possible, to avoid the current traffic of sewage sludge and does not involve simply ceasing incineration and sending sewage sludge to landfill. SEPA is engaged in doing that and it is to be congratulated on attempting to take that pragmatic view on this important matter.

#### Spending and Taxation

**2. Jim Mather (Highlands and Islands) (SNP):** To ask the Scottish Executive, in light of the First Minister's statement on the BBC on 3 January 2006 that he was ambitious to start to close the gap between spending and taxation that the Executive believes exists in Scotland, what the Executive's eventual target is for closing the gap; what steps will be taken to achieve that target; whether it will change the basis of calculation for measuring the gap, and when it anticipates that the target will be achieved. (S2O-8722)

**The Minister for Finance and Public Service Reform (Mr Tom McCabe):** We want to rebalance the Scottish economy by placing an emphasis on growing the private sector. We will do that by creating the conditions for the economy to grow in terms of infrastructure, business support, skills and education. We will certainly not do that by setting arbitrary targets.

**Jim Mather:** I thank the minister for that sadly predictable answer. When he reviews his options, will he note that he still has no power to tax, to save or to borrow? Will he also note that, thanks to the crazy "Government Expenditure and Revenue in Scotland"—or GERS—exercise, which trumpets a false deficit, the Executive has generated a rating for national viability that is 55<sup>th</sup> out of 60 developed and developing countries and puts Scotland down with Venezuela and Argentina? Will the minister tell us how the Executive's powerlessness and that rating are in Scotland's interests?

**Mr McCabe:** It seems to me that when politicians are struggling for an argument in the chamber they start to talk about places such as Venezuela. We are here in Scotland and we will try to concentrate on the issues that affect us—

**Mr John Swinney (North Tayside) (SNP):** What about Bangladesh?

**The Presiding Officer (Mr George Reid):** Order.

**Mr McCabe:** It does not matter one bit how loudly Mr Swinney shouts. The common sense of our arguments will prevail and he will have to accept that sooner or later.

I return to the points that were made by Mr Mather. I heard his derogatory comment about the GERS statistics, but they are robust statistics that were, for the first time, produced under the code of practice of the Office for National Statistics. They are more robust than ever, but because they do not suit Mr Mather's argument he continues to try to undermine them. Perhaps that is one of the strongest arguments that we can make for not listening to his argument that we should set arbitrary targets. If they did not suit his argument, he would ignore them anyway, so why should we go to the bother of setting them?

Mr Mather also says that we are powerless. For him, everything is predicated on the notion that we would be better off if Scotland ripped itself out of the United Kingdom. Our long-term average growth rate is better than it has ever been. More of our citizens are in employment than at any time since records began. The vast majority of the expansion in employment has taken place in the private sector. The gross domestic product growth rate for the second quarter of 2005 stands at 0.6 per cent. That is higher than the UK rate, which is 0.5 per cent. It seems to me that the people of Scotland know that. We are doing very well and we will continue to do well. That is why the SNP's arguments fall on deaf ears and why they will continue to do so.

### Freshwater Fishing

**3. Dennis Canavan (Falkirk West) (Ind):** To ask the Scottish Executive what measures it is taking to improve access to freshwater fishing. (S2O-8726)

**The Deputy Minister for Environment and Rural Development (Rhona Brankin):** On 16 December 2005, the Scottish Executive published "Aquaculture and Fisheries Bill: Consultation Paper and Draft Regulatory Impact Assessment". Chapter 9 of the document covers the proposals on possible amendments to rules on access that have been developed in collaboration with the Scottish freshwater fisheries forum and its steering group.

**Dennis Canavan:** Is the minister aware of the firm commitments that were given in parliamentary replies to John Home Robertson and me that the Freshwater and Salmon Fisheries (Scotland) Act 1976 would be repealed? In 2001, the minister herself signed a document that confirmed the Executive's aim of repealing the 1976 act and replacing the notorious protection orders with a new system. Why, then, does the recent consultation document describe repeal as only an option rather than a commitment? Is the Executive trying to rig the consultation by ensuring that only one of the nine public meetings will be held in the central belt, where most of the population live? Many of them will have other engagements because the Executive has fixed the meeting for Burns night.

**Rhona Brankin:** As Dennis Canavan should know, the issue has been discussed at great length with a wide group of stakeholders and they overwhelmingly rejected the proposal to repeal the protection order system. They believe that we should not repeal the system until a better management system can be put in place. That is the key to the matter. The Scottish freshwater fisheries forum comprises a range of organisations that represent anglers, including the Scottish Anglers National Association. It has more than 30,000 members who are persuaded that we cannot do away with protection orders until a better management system is in place. We do not want to rush in and we have not made our final decision about what will happen. I must ensure that we think in the longer term about how we can make fishing sustainable, improve access and get the correct balance. That is what we seek to do.

### Year of Homecoming 2009

**4. Mr Adam Ingram (South of Scotland) (SNP):** To ask the Scottish Executive what progress it is making with preparations for the year of homecoming 2009 and the 250<sup>th</sup> anniversary of the birth of Robert Burns. (S2O-8734)

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** We are committed to using the 250<sup>th</sup> anniversary of Burns's birth as one means to encourage Scots worldwide to return to Scotland. A project director for the year of homecoming has been appointed and an advisory board will help to guide the project. The redevelopment of the Burns national heritage park by the National Trust for Scotland will ensure that the year of homecoming will help future generations to appreciate Burns's contribution to Scottish culture.

**Mr Ingram:** I welcome the minister's assurance that the plans for the Burns national heritage park in Alloway are back on track. Does she agree that the 2009 anniversary offers a focus for wider and

deeper cultural and educational development? For example, could every school in Scotland be offered resources for projects on the life and times of Robert Burns? Such projects might explore the Scottish enlightenment, which is also known as the story of how Scotland invented the modern world. That would reveal to our children what Scotland and its citizens are capable of—past, present and future.

**Patricia Ferguson:** The project advisory board has been tasked with considering how we should celebrate 2009, but we certainly intend to ensure that the effect of the celebration is felt as widely as possible throughout the length and breadth of our country and beyond. We will look for ways to do that internationally as well as locally and regionally. I am encouraged by the model that is being used for the year of Highland culture in 2007; we will learn lessons from that project too.

**Mr Alasdair Morrison (Western Isles) (Lab):** Celebrating anniversaries is both important and appropriate. What plans does the Scottish Executive have, in conjunction with colleagues in the United Kingdom Government, to commemorate, celebrate and highlight the innumerable benefits that were accrued by generations following the signing of the treaty of union in 1707?

**Patricia Ferguson:** I am sure that colleagues around the chamber will celebrate that particular anniversary in their own ways and that some will be more imaginative than others. My colleagues at Westminster are considering how the anniversary can be celebrated and we will remain in close contact with them to see whether there is any added value that we can give to those celebrations.

**Phil Gallie (South of Scotland) (Con):** I congratulate the minister on the steps that she has taken in respect of the redevelopment of the Burns national heritage park in Alloway by the National Trust for Scotland. As part of her negotiations, did she consider the museum at Alloway? Many Burns objects remain in storage in locations throughout the country and the Burns Trust had plans for a new museum. Do such plans form part of the work that will be done?

**Patricia Ferguson:** Like many others, and like the trustees of the museum, I was very concerned about the condition of many of the objects that were still on display. One of the things that the Executive has done is put in place curatorial support for the Burns museum to make sure that the precious objects that it holds do not suffer any further deterioration.

Mr Gallie is absolutely right to say that the Burns collection is very much dispersed. Our first step in that connection was to conduct a survey of the dispersed collection so that we knew where it was.

There will be a new museum at Alloway as part of the 2009 year of homecoming. However, we want to ensure not only that the objects that were originally in Alloway are returned there once their safekeeping can be assured, but that people throughout Scotland have the opportunity to enjoy those items that have spent most of their existence in Alloway. We also want to ensure that people in Ayrshire will have the opportunity to enjoy the objects that might have been scattered around Scotland in the 250 years since Burns was born.

### Asylum Seeker Families

**5. Bill Butler (Glasgow Anniesland) (Lab):** To ask the Scottish Executive when it expects an agreement to be reached between it and the United Kingdom Government in respect of policies relating to the removal of the children of failed asylum seeker families. (S2O-8690)

**The Deputy Minister for Education and Young People (Robert Brown):** Our discussions with the Home Office are progressing well. In those discussions, we are covering a range of issues relating to policies affecting asylum seeker families. We are aiming to secure improvements on a range of issues, some of which can be progressed more quickly than others.

**Bill Butler:** I am glad—and I am sure that the chamber is glad—that some progress has been made. However, the minister will appreciate that my constituents—and people throughout Scotland—hope that the talks will soon be completed and a positive agreement reached.

Will the minister tell the chamber whether time spent in Scotland by children of asylum seeker families will be considered in the final agreement so that it is properly taken into account when the Home Office makes the decision about whether a family is to be removed or allowed to remain? The minister will know that the Home Office minister Tony McNulty did not rule that out during his interview on “Good Morning Scotland” on 24 November last year.

**Robert Brown:** I am aware of Mr McNulty’s interview. As I have said before in this chamber, it is not helpful to conduct negotiations and discussions on this matter by megaphone and in public.

I welcome Mr Butler’s on-going interest in the subject. I hope that it is of some help when I tell him today that agreement in broad terms has been reached in three areas. The first is about the involvement of local service providers, such as education, health and social work, in feeding into decision making on whether, how and when to remove failed asylum seeker families from the United Kingdom. The second area of agreement is



on the enhanced package of support for voluntary returners announced recently by Tony McNulty. The third area concerns improved arrangements for managed migration for people who enhance the skills base in Scotland.

**Patrick Harvie (Glasgow) (Green):** It is good to hear about some positive developments. However, the minister might be aware that UK ministers recently made a commitment to provide case-specific information to members of Parliament so that the public debate on the matter can be best informed. Given the clearly devolved issues that are concerned, which the Executive recognises, will the minister impress on the UK Government the importance of extending that information provision to members of this Parliament to avoid any cynical perception that ministers might wish to provide information only to their own colleagues?

**Robert Brown:** I hear Mr Harvie's point, but as has been said many times in this chamber, asylum is substantially a matter for the UK Government to decide. Although I am happy to feed in that suggestion to the negotiations and discussions that are taking place, I cannot answer for the view that will be taken by the United Kingdom Government, certainly at this stage.

**Christine Grahame (South of Scotland) (SNP):** I advise the deputy minister that at a recent presentation by the Scottish Children's Reporter Administration, in response to my question about whether children could be deported while under investigation, I was given the straight answer yes. That flies in the face of a response last year from the Minister for Justice. I ask the minister whether the forthcoming protocol will deal with that issue and if so, how? If the situation remains as I have described it, does the minister share my concern that children are being deported from Scotland when they are under investigation by the Scottish Children's Reporter Administration?

**Robert Brown:** I reiterate to Ms Grahame the basic proposition that such matters are ultimately and substantially for the United Kingdom Government. I am not prepared to engage in a discussion in this chamber on the negotiations. I have made announcements. A series of issues are being discussed with the UK Government and we will make further announcements when we are able to do so.

**The Presiding Officer:** Before First Minister's question time, members will wish to join me in greeting the President of the Assembly of Extremadura in Spain, Federico Suárez, and his colleagues. [*Applause.*]

## 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-2056)

**The First Minister (Mr Jack McConnell):** I spoke to the Prime Minister last Friday—as I promised last week—and I wished him a very happy new year. I have no immediate plans to meet him again.

**Nicola Sturgeon:** Will the First Minister today give a straightforward and categorical assurance that there will be no increases in the tolls for the Forth road bridge?

**The First Minister:** I am grateful for the opportunity to clarify the current position on tolls. The Forth Estuary Transport Authority, which is the authority currently responsible for the bridge, has made a proposal. It is a local proposal from the local councillors who sit on the board. Ultimately, it will be for the Scottish Government to take a view on that proposal. We will do so properly, in the light of decisions that we must take on the future of the bridge and on any replacement for it.

**Nicola Sturgeon:** Is it not the case that the First Minister has just confirmed that the proposal to increase the tolls for the Forth road bridge above the current rate of £1 is very much alive and kicking? When Gordon Brown said last night that he welcomed the decision to abandon any increase in tolls, did he have the wrong end of the stick, or was he deliberately trying to mislead the public?

**The First Minister:** I speak for our Scottish Executive and ministers—for the Scottish Government. We agreed yesterday that the right way forward for the Forth road bridge was to link any decision on tolls with decisions on the long-term future of the crossing. I am sure that our decision will be welcomed by all local politicians in Fife and, of course, by local people.

I have to be very clear here. Like the people of Fife, I think that it will be hard to find any justification on economic grounds for the 300 per cent increase in tolls that has been proposed. However, we have a due process to go through and there are many unresolved issues. We will go through that process properly and we will make a decision on the present proposal, and on any future proposals, based on the critical need to secure a crossing for the people of Fife to the

other side of the water. We will do that with the interests of commuters and economic and environmental arguments in mind. Scottish ministers will make the decision.

**Nicola Sturgeon:** Is it not the case that the Chancellor of the Exchequer seems to be pulling the First Minister's strings to some extent? Is it not equally the case that the First Minister has still failed to rule out an increase in the tolls to above £1? Is it not the case that what we have here is a classic case of new Labour spin and deceit, with Gordon Brown telling the public before a by-election that increases have been abandoned, while he and the First Minister know full well that the tolls are set to go up afterwards? Is that not exactly what is going on here? If that is not the case, why will the First Minister not take the opportunity, today, to back up exactly what Gordon Brown said and to rule out any increase at all in the tolls for the Forth road bridge?

**The First Minister:** First of all, I have explained the position very clearly indeed, and I have given an indication of our view on the specific proposal that has been made. Secondly, let us talk about deceit and spin. There is only one party in this Parliament that currently supports the proposal to increase the tolls on the Forth road bridge, and that party—with admirable honesty—is the Scottish Green party. There is only one party in this Parliament that is currently in negotiations with the Green party to form a coalition after the next election, and that party is the Scottish National Party. If we are talking about deceit and spin, let us have a bit of honesty from the SNP about what would happen if the SNP were sitting on our benches.

**Nicola Sturgeon:** I point out to the First Minister that the Labour councillor and the two Liberal councillors on FETA voted for the £3 increase in the tolls on the Forth road bridge. The SNP stands four-square against any increase in the tolls. If the First Minister wants to pretend that he is against the increase, I will give him yet another opportunity to do what Gordon Brown pretended to do yesterday—rule out any increase in the Forth road bridge tolls. If the First Minister is not prepared to do that, the only conclusion that can be drawn is that Forth road bridge tolls under Labour and the Liberal Democrats are on their way up.

**The First Minister:** Even the SNP candidate in the Fife by-election—who has no chance whatever—was a bit more honest than his colleagues in the chamber. In his campaign launch on Tuesday, he talked about opposing increases in the tolls if they were too high—not increases in the tolls, but increases that were too high. He is more honest than his colleagues in the Parliament are about the SNP's long-term intentions for the Forth road bridge.

Let us be absolutely clear: we have a very important decision to make about the future of the Forth road bridge. Access across that piece of water is an issue for the long-term future of the people of Fife and the north-east of Scotland and for people in the south who might be moving north. We will make the decision on the bridge; then we will make a decision on tolls.

The current proposal faces widespread opposition in Fife and we believe that it will almost certainly have to be looked at again. We will follow due process in doing that, as we are required to under the Transport (Scotland) Act 2001. Scottish ministers here will make the decision and we will do so in the best interests of the people of Fife, not in answer to silly promises and slogans or as a result of the kind of back-handed, behind-the-scenes negotiations that would be likely to lead to the proposal coming about in the first place.

### Cabinet (Meetings)

**2. Miss Annabel Goldie (West of Scotland) (Con):** To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-2057)

**The First Minister (Mr Jack McConnell):** The Cabinet will discuss a number of issues, all of which are important to the people of Scotland and many of which are important to the people of Fife in particular.

**Miss Goldie:** Perhaps that is confirmation of the toll increase after all.

The First Minister will be aware that £19 billion has been invested in education since devolution. According to official statistics that were released today, spending per pupil has increased by 60 per cent since 1999. However, despite all that additional money, the gap in examination results between the most deprived schools and schools in more affluent areas has grown. The gap remains constant for the lowest 20 per cent. Why is that?

**The First Minister:** Today's report shows the increased pace of improvement—and the pace of improved attainment in examination results in particular—among the highest-achieving schools. The pace of improvement in high-achieving schools is faster than the pace of improvement for schools that were at the lower end of the achievement scale or for individuals who have struggled in the examination system. That is precisely why we announced the schools of ambition programme 18 months ago and why we are implementing it with the enthusiastic support of business partners, school heads, parents and others in the education system. The programme is directly related to the need to improve standards and performance in low-achieving schools. It will ensure that they have the resources that they

require and the exam results that will give their pupils the best opportunity in life, but, crucially, it will also give those youngsters the ambition and aspiration that will make them more confident and more likely to succeed.

**Miss Goldie:** The pace of acceleration in examination attainment in the lowest sector has not just been slowing; it has been constant. That requires clarification, because it gives rise to universal concern. The situation is depressing and worrying. However, the experience of Inverclyde Council offers some hope. The council covers some of the most deprived areas of Scotland, but exam attainment is on a par with that in more affluent areas such as Perth and Kinross. Would the First Minister agree with Mrs Martin—*[Interruption.]*

**The Presiding Officer (Mr George Reid):** Clear the gallery as quickly as possible. Carry on, Miss Goldie.

**Miss Goldie:** Would the First Minister agree with Mrs Martin, head teacher at Clune Park Primary School in Port Glasgow, and Dr Nigel Lawrie, the head of education services at Inverclyde Council, who attribute the success of the council's schools to leadership from head teachers and to parental and community involvement in schools?

**The First Minister:** Yes. I am enjoying the new, consensual approach to education policy—perhaps I will return to that in a second.

It is important to acknowledge that, across the system, the level of investment to which Miss Goldie referred in her first supplementary question has resulted in not only better school buildings, more modern equipment and all the other improvements that we have listed in the past but improved attainment in maths, reading and writing and other areas. The improvements throughout the system are important, but it is particularly important that we focus on schools and youngsters who fall behind their peers.

That is why we launched the schools of ambition scheme that has been mentioned, but it is also why the areas that today's report by Her Majesty's Inspectorate of Education identifies are the ones that we have prioritised. For example, we have prioritised strong leadership through the new programme that is in place for the training of school head teachers; we have prioritised early identification of pupils who fall behind; we have encouraged every school in Scotland to introduce a proper uniform policy that raises the standard and improves discipline in the school; and we have introduced homework clubs to give youngsters who cannot study at home the chance to study outwith school hours. Along with smaller class groups, those and many other aspects of our

reform programme are targeted specifically at the youngsters who fall behind, at the schools that fall behind, at leadership in schools and at ensuring that schools do not fall behind as the whole system improves.

Admirably, Mr Cameron has dropped the idea of a pupil's passport that would directly disadvantage such schools in every community in Scotland. Is the Scottish Conservative party prepared to do the same?

**Miss Goldie:** Unlike the First Minister, who seems to be told what to do by the Chancellor of the Exchequer, I am not told what to do by any of my colleagues south of the border.

I am pleased that the First Minister acknowledges that leadership from head teachers and parental and community involvement in schools are important building blocks. Therefore, why has the Executive for six years followed a programme that is designed to undermine the freedom of head teachers, by interfering with their right to exclude disruptive pupils, and parental involvement in schools, by proposing to abolish school boards, thereby ending parents' ability to have a say in the selection of a head teacher? The Scottish Executive is damaging the very things that can help to make schools successful. Will the First Minister accept that his strategy was and is wrong, and will he give head teachers and parents greater freedom and responsibility in the running of our schools?

**The First Minister:** Both of Miss Goldie's statements are completely untrue. First, head teachers have the power to exclude pupils and should use it whenever they feel they have to. The encouragement that they have received from the Executive to do so is a serious attempt to ensure that they do not listen to the disinformation from the Tories and others that would lead them to conclude that they cannot.

Secondly, we are not abolishing the right of parents to have and to sit on school boards. We are not only continuing that opportunity but expanding the opportunities for parental involvement, so that they are more relevant. Parents will be able to choose for themselves the level of parental involvement in a school board or any other mechanism, not have it imposed by us from the centre.

We will not only expand head teachers' freedom in those and other areas and improve the involvement of parents and others in the local community, but ensure that the pupils in the school, who matter most, improve their attainment too.

**Alex Neil (Central Scotland) (SNP):** Will the next meeting of the Cabinet discuss the cash crisis at Scottish Enterprise? Will the First Minister

confirm what the shortfall in Scottish Enterprise's budget for this year is? Will he also tell us what impact the immediate cut of 15 per cent in local enterprise company budgets will have on businesses in Scotland and individuals who rely on support from, or supply services to, Scottish Enterprise?

**The First Minister:** The financial year for Scottish Enterprise is, of course, not over. Alex Neil should remember that. We should ensure that Scottish Enterprise knows its budget and that it implements its decisions within that budget. That is what we expect Scottish Enterprise to do. That is its responsibility, and it is properly audited for that purpose. I expect Scottish Enterprise to meet its budget targets.

**Margaret Smith (Edinburgh West) (LD):** Does the First Minister share my concern at reports that the City of Edinburgh Council will not proceed with the tramline projects as originally proposed under the tramline bills that are currently before the Parliament? Will he do all that he can to support the trams, through inflation proofing and other measures? Does he agree that this is an opportunity to reconsider whether the proposals before us represent the best routes for the tram?

**The First Minister:** I think—although I stand to be corrected—that the Minister for Transport and Telecommunications has yet to speak to the tramline bill committees on the matter. When he does, he will outline the Executive's position. It would be wrong of us to comment on reports at this stage. The important thing is that we have a clear position on the projects' finances and other details, and it will be outlined to the committees in the appropriate way.

### Free Prescriptions

**3. Colin Fox (Lothians) (SSP):** To ask the First Minister what information the Scottish Executive has on the proportion of MSPs and Scottish MPs and MEPs who qualify for free national health service prescriptions. (S2F-2069)

**The First Minister (Mr Jack McConnell):** We do not have any such personal information on MSPs, MPs or MEPs.

**Colin Fox:** Since the Scottish Executive insists

"that patients who can afford to should ... contribute towards NHS dispensing costs",

I would have expected the First Minister to say categorically that no MSP qualifies for free NHS prescriptions. However, the fact is that 30 members of this Parliament are entitled to free prescriptions, despite the fact that they are among the top 2 per cent of wage earners in Scotland, with a salary of at least £50,000 a year. So is J K Rowling, so is the Queen and so is everyone over

60 years of age, regardless of their income; yet 300,000 people on disability living allowance do not qualify for free prescriptions and neither do 219,000 people on incapacity benefit.

**The Presiding Officer:** Put your question, please. Let us not have a speech.

**Colin Fox:** Does the First Minister recognise that it is time to replace the utterly discredited exemption system and to abolish the charges for everyone?

**The First Minister:** I find that a slightly perverted argument. Having complained about the figure of 30 MSPs—that is Colin Fox's figure, not mine, and I do not hold, nor would we seek to hold, such personal information about the conditions of members of the Parliament—and the fact that there might be people in the Parliament who qualify for free prescriptions for medical reasons, the member then advocates giving out free prescriptions to everybody else, which is strange. That is consistent with the approach that is taken by Colin Fox and the Scottish so-called Socialist Party.

We currently have a prescription system in Scotland under which about 50 per cent of the population is exempt from prescription charges and about 92 per cent of the items that are dispensed are free to people who are subject to exemptions, as they are the high users of medicines. The system also allows pre-payment of block prescriptions, so that people do not have to pay over the odds over a long period for on-going prescriptions, over either four or 12 months.

Colin Fox might like to dress up as Robin Hood, but he is behaving like Robin Hood in reverse. Taking from the poor to give to the rich is not my idea of socialism, and it should not be Colin Fox's either.

**Colin Fox:** That is the longest answer that I have ever received from the First Minister, although 92 per cent of it was waffle. The First Minister is on record as saying that the Executive's strategy is to target benefits at those who need them the most. I could provide a list of people for whom that targeting does not work very well. The fact is that 2.5 million Scots are not exempt from charges, which, unfortunately, those on the Labour back benches seem to accept; it is fiction to suggest otherwise. The fact is that the rich do not have to pay for prescriptions while the poor have to pay for them.

Is the First Minister still a supporter of the committee system? If so, will he say when in the past seven years the Executive has rejected a bill the approval of whose general principles a lead committee has recommended? Tell us when, here and now.

**The First Minister:** As I said on the day when I became First Minister back in November 2001, there are times when we have to say no—when the time is not right or the money is not there. In this case, not only is the time not right and not only could the money be better used elsewhere, but the policy is wrong. It is the wrong policy to give free prescriptions to people who can afford to contribute and thereby to take out of the health service money that would help the people whom Colin Fox says he wants to help. As ministers, we have a duty to make that absolutely clear.

Fifty per cent of Scotland's population is exempt from prescription charges and more than 90 per cent of the prescriptions that are dispensed are free. The system needs improvements and we will produce plans for those improvements. However, the money to provide free prescriptions for all could be better used elsewhere. As I have said to Colin Fox, he would be acting as Robin Hood in reverse.

#### **Commission on Boundary Differences and Voting Systems**

**4. Sarah Boyack (Edinburgh Central) (Lab):** To ask the First Minister when the Scottish Executive will respond to the publication of the Arbuthnott commission report on boundary differences and voting systems. (S2F-2059)

**The First Minister (Mr Jack McConnell):** The commission published its report today. We will consider it carefully and allow time for reflection and dialogue with interested parties before responding to the elements of the report that fall within our remit. In the meantime, I take the opportunity to record my thanks for the work that the commission—Professor Arbuthnott and his colleagues—has undertaken in the past 18 months.

**Sarah Boyack:** I echo the First Minister's welcome for this constructive report. I note that the commission says that the Scottish Parliament

"is a major step in improving government in Scotland"

and that we should give priority to establishing stability in our voting systems while improving people's understanding of how the systems work.

Will the First Minister give a commitment to consider the recommendations on promoting wider and more effective teaching of how people can vote in the Scottish parliamentary and local government elections, particularly in schools? Will he consider in detail the recommendations on improving voter turnout at those elections, particularly through e-voting and boundary changes, to make life more straightforward for people? Will he also focus on what we can do to ensure that people are registered and motivated to participate in elections?

**The First Minister:** All those matters are important. Of course, we will examine the commission's recommendations that are directed at those objectives. All of us in the Parliament should share the objective of increasing turnout not only at the Scottish Parliament elections, but at other elections. Improving administration of and access to the system is one part of that. Another element is the exchange of views in Parliament and presenting a choice for the electorate. I look forward to doing that in the next 15 months.

#### **Nuclear Power Stations (Planning)**

**5. Christine Grahame (South of Scotland) (SNP):** To ask the First Minister what discussions he has had with the Prime Minister in respect of any planning issues associated with the development of a new generation of nuclear power stations for Scotland and the disposal of nuclear waste. (S2F-2064)

**The First Minister (Mr Jack McConnell):** I have held no discussions with the Prime Minister on planning issues that are associated with the development of a new generation of nuclear power stations for Scotland or on the disposal of nuclear waste. Planning decisions are of course devolved to the Scottish ministers.

**Christine Grahame:** That is right. The First Minister will be aware that the Planning etc (Scotland) Bill says that the proposed national planning framework, which will have a 20-year span, must contain a statement of what his ministers consider to be priorities for that framework. The bill also says that ministers

"are to have regard to any resolution or report of ... the ... Parliament"

in considering that framework. Would a proposed nuclear power station or nuclear waste site require to be included in that framework? If so, and if Parliament objected to such an inclusion, what exactly would "have regard to" mean?

**The First Minister:** To be honest, I am not absolutely certain whether the framework would include a specific planning proposal of that sort, although it might include the overall use of areas for certain developments and the national direction of policy. I am sure that we would be happy to clarify that during discussion of the proposals.

I make it clear that our powers with regard to nuclear power stations relate not only to planning. Of course we have powers over planning matters, but we also have powers under section 36 of the Electricity (Scotland) Act 1989 to refuse consent to construct any generating station of 50MW or more. The Executive's position on nuclear stations remains as it always has been. We will not support the further development of nuclear power stations while waste management issues remain

unresolved. As we heard yesterday, the Committee on Radioactive Waste Management is currently considering all the options for the long-term management of waste. It intends to make recommendations later this year, which we will consider when they are made.

**Nora Radcliffe (Gordon) (LD):** Does the First Minister agree that we must plan for a secure and sustainable energy supply in Scotland and that money that is invested in a nuclear power station, which would buy us around 30 years' energy supply, could be invested in developing genuine renewable energy supplies, which would have an infinite ability to supply energy? Will he ensure that our strategic planning decisions reflect what I have said?

**The First Minister:** As I said, I hope that our strategic planning reflects our policies relating to energy, the environment and other matters. It is clear that our strong commitment to renewables will be an essential part of that planning. During the discussions on the Planning etc (Scotland) Bill, we will make it clearer how that commitment fits within the planning legislative framework.

Our policy is clear. We want a significant shift in favour of renewable energy in Scotland and we want to support not only the generation of such energy, but the skills that can be used and the jobs that can be created to supply that industry at home and abroad. We are absolutely committed to that policy. We are making good progress and we will make more progress in the years to come.

**Mr John Home Robertson (East Lothian) (Lab):** Will the First Minister acknowledge that there is a need to plan for the security of electricity supply without there being greenhouse gas emissions? Will he also acknowledge the importance of the electricity supply industry in many parts of Scotland? When decisions are taken—as they must be—about the safe permanent storage of nuclear waste, does he intend that the Executive should objectively consider the case for the most appropriate replacement of decommissioned capacity in Scotland that would maintain electricity supply jobs in Scotland? If that is the case, may I put in an early bid for the Torness B station?

**The First Minister:** I am sure that John Home Robertson will make his case forcibly whenever the discussions on waste and future energy policy take place in the next year.

**Chris Ballance (South of Scotland) (Green):** There is an air of *déjà vu* about the energy review that was announced on Monday—Tony Blair makes up his mind and then commissions a dodgy dossier to support him. Will the First Minister and the Executive feel obliged to follow the dossier's recommendations, or will they let Scotland think for itself?

**The First Minister:** I cannot be clearer than I have been. I have probably said what I am about to say more than anything else that I have said in the just over four years in which I have been the First Minister. We have planning powers that we must take seriously, and we cannot legally—never mind politically—be dictated to by anybody else, but we also have powers relating to electricity generating stations. Members have a duty and a responsibility to make their own decisions on such matters. Scottish ministers will make their own decisions and there will be proper parliamentary debates to help to guide us in our work.

**Phil Gallie (South of Scotland) (Con):** I want to correct Nora Radcliffe's assumptions about the lifespans of nuclear and renewable plants. Hunterston has been generating successfully and safely for the past 30 years and has at least another 10 years remaining; the lifespan of a windmill, for example, is some 25 years. Will the First Minister take those facts on board?

**The First Minister:** It is important to take on board all the facts and to base our policies on the science and the facts as much as on our political instincts and judgments. I hope that this year in Scotland we will have a serious debate about the matter that we are discussing, that there will be a serious debate elsewhere in the United Kingdom and that we will make rational decisions that can be justified to the Scottish public not only now but for generations to come. That is what I and we collectively seek to achieve, and that is what we will do.

### Dentistry (Funding)

**6. Mary Scanlon (Highlands and Islands) (Con):** To ask the First Minister whether the Scottish Executive is satisfied that dentistry is adequately funded. (S2F-2065)

**The First Minister (Mr Jack McConnell):** Dentistry is receiving substantial increases in investment. Funding will increase from £200 million in 2004-05 to £350 million in 2007-08, which is a 75 per cent increase.

**Mary Scanlon:** It is unfortunate that the new measures were not negotiated with the British Dental Association but, as I understand it, determined unilaterally by the Scottish Executive. The result is that many dentists will not get the new allowances, despite the fact that they treat children and exempt adult patients—our most vulnerable national health service patients. Will the First Minister intervene to ensure that the new contract is negotiated in the best interests of patients and ensures future access to NHS dental care in Scotland?

**The First Minister:** Not only has the budget increased by 75 per cent over the three years, but

it has now more than doubled since the Conservative Government left power in 1997. That Government closed the Edinburgh dental school, which led to many of the current shortages in Scotland. Even though it is a long time ago, let us remember the past. The decisions that were made then still have an impact on the Scotland of 2006.

Let us also be clear: no group has a veto over the decisions of this Parliament or the Executive. When we make decisions on many matters, including dentistry, we put the public interest first. If dentists sign up to work with NHS patients, they will get their part of the investment. If they decide to do that, it is important that they make the commitment with the public interest at the core of their work, just as it is at the core of ours.

12:32

*Meeting suspended until 14:15.*

14:15

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Justice and Law Officers

##### Police Forces (Restructuring)

**1. Mr Jim Wallace (Orkney) (LD):** To ask the Scottish Executive what consideration it is giving to restructuring Scotland's eight police forces. (S2O-8742)

**The Minister for Justice (Cathy Jamieson):** Scottish ministers have no current plans to restructure Scotland's eight police forces.

**Mr Wallace:** I thank the minister for that reassuring reply. No doubt she saw, as I did, the report in *The Herald* on 2 December suggesting that the Minister for Finance and Public Service Reform would have "no sacred cows" and talking of proposals to target the existence of eight separate police forces in Scotland, to parallel the reduction in the number of police forces in England and Wales. Does she agree that, given the chaos and farce into which the proposals for England and Wales have descended, it is reassuring that we do not intend to embark on a similar move in Scotland? Does she also agree that it is the outcomes that are important, rather than the structure, and that those outcomes are best served by a police force that respects the long-standing constitutional arrangements of local accountability through the police board, the chief constables' operational role and the role of ministers? If there is to be some change, perhaps it is to improve local accountability in some of the larger police force areas, such as Strathclyde.

**Cathy Jamieson:** I thank Mr Wallace for such an interesting and thorough question. It will obviously not be possible for me to reply to every point in detail, but I want to assure him that local accountability is important and that anything we do in future must be focused on better outcomes to improve community safety. There are challenges for us in Scotland, particularly in getting the right balance between neighbourhood and local policing and the investigation of serious and organised crime and the threat of terrorism. We should not be afraid to modernise if it is important to do so to provide a better service, nor should we be afraid to have efficiencies driven into services to ensure that front-line delivery is improved. I hope that I can give Mr Wallace some reassurance that anything that might be considered in future would be based on the principle of improved services and accountability.

### In-court Advice Service

**2. Donald Gorrie (Central Scotland) (LD):** To ask the Scottish Executive what discussions it has had with citizens advice bureaux in respect of training volunteers to work in a nationwide in-court advice service. (S2O-8737)

**The Deputy Minister for Justice (Hugh Henry):** I expect very shortly to receive a report evaluating the in-court advice pilot projects that are currently operating in Edinburgh, Aberdeen, Airdrie, Dundee, Hamilton and Kilmarnock. However, those projects are not staffed by volunteers.

**Donald Gorrie:** I know of those six schemes and think that they are providing a good service. As I understand it, help is given by volunteers from citizens advice bureaux in servicing those projects in the courts and they have a lot of work to do. If the scheme is to be rolled out across the country, as I hope that it will be, it will be important to provide enough volunteers to do that sort of work in support of paid staff. Will the Executive look ahead to the question of training for volunteers, if it plans to roll out the scheme, as I hope that it does?

**Hugh Henry:** I pay tribute to the work that volunteers do in many areas of activity throughout Scotland. For example, they do sterling work in supporting victims. The projects that we are talking about now, which are funded by the Executive, employ full-time staff in all the schemes, except the one in Dundee, which has two part-time advisers who are practising solicitors. As a starting point, we placed the pilots in sheriffdoms where there had been no provision. Not all the projects are managed by citizens advice bureaux and CABx would not necessarily be responsible for the service in any roll-out. In Edinburgh, the scheme is managed by Edinburgh central CAB, and the pilots in Airdrie, Aberdeen and Hamilton are managed by the local CABx there. In Dundee, the pilot is a joint CAB and Shelter Scotland project, but the Kilmarnock pilot is managed by East Ayrshire Council. We need to reflect on what has worked, what works well and who would be best placed to manage and run a local service.

However, I take seriously Donald Gorrie's suggestion that when it is appropriate for volunteers to be involved, they can make a significant contribution. I never fail to be impressed by their enthusiasm, their willingness to train and their professionalism and dedication, which I hope that we can draw on in many future areas of activity.

### Knife-related Crime

**3. Mr Frank McAveety (Glasgow Shettleston) (Lab):** To ask the Scottish Executive whether it

considers that mandatory jail sentences for carrying a knife would be effective in tackling the issue of knife-related crime. (S2O-8705)

**The Minister for Justice (Cathy Jamieson):** Courts need flexibility in sentencing to reflect the circumstances of each individual case. We take the issue of knife crime seriously and that is why we have committed to doubling the maximum sentence for carrying a knife in public from two to four years.

**Mr McAveety:** I welcome the initiatives that the Executive has taken in the past year, which have been welcomed right across the constituency that I represent. One of the concerns that the public raise with me is about how consistent sheriffs and judges are in tackling knife carrying and knife use. Although we should acknowledge the need for flexibility in sentencing, sheriffs and judges should reflect the reality in the communities that suffer from knife crime. Can any measures be taken to ensure that sheriffs and judges fully understand the consequences of such activity?

**Cathy Jamieson:** Frank McAveety raises an important point. The notion that some communities, especially some of our more disadvantaged communities, suffer more from violent crime is borne out by the recorded figures. It is worth remembering that the homicide figures for 2004-05 show that, as in previous years, the use of a sharp instrument was the most common method of killing—it accounted for 72 victims, which was more than half the total number. That is why we take the issue seriously.

I reassure Frank McAveety that we have asked the Sentencing Commission for Scotland to examine consistency of sentencing. It is important that sentencing is transparent, that the public can understand it and that they feel that there is a degree of consistency of approach. Although we are not persuaded of the need for mandatory sentences for carrying a knife, which would take away an element of flexibility, we think that it is important to send out clear messages both on consistency and to those people who might consider getting involved in knife crime.

**Mr Andrew Welsh (Angus) (SNP):** Is the minister aware that a young Czech man was killed in a knife assault in Arbroath? Such knife crime has an impact not only on Scotland but on how we are perceived in the wider world. Has she studied the report from Glasgow royal infirmary that shows that only 53 per cent of knife-related injuries are reported to the police? Surely it should not be too difficult to create a hospital-based system for reporting serious knife injuries to the police to allow them better to concentrate their resources on serious knife crime. Surely policy is best based on a clearer understanding of the situation.



**Cathy Jamieson:** I will not comment on the specific case that the member mentioned, as it has still to come before the courts, but of course we want to examine a range of measures for tackling the problem of violence. I have had a brief informal discussion with Mr Welsh's colleague Stewart Maxwell about how best we can deal with some of the concerns that have been raised during the Justice 2 Committee's consideration of the Police, Public Order and Criminal Justice (Scotland) Bill. I do not want to impose on the medical professions a burdensome bureaucratic system, but we need to get a better understanding of what is happening, and input from the clinicians who deal with the problems that are caused by knife crime has been valuable.

I stress the importance of the work that we are doing with Strathclyde police's violence reduction unit, which has adopted innovative methods of identifying the problem. Members will know that I am on record as saying that we need to tackle the problem of the booze-and-blade culture that exists in some parts of our communities in Scotland. The so-called hard-man image is not helpful to the everyday lives of the members of our communities or to our image at home and abroad.

**Margaret Mitchell (Central Scotland) (Con):** Given that the incidence of knife crime is escalating in central Scotland and in other parts of Scotland, does the minister agree that the four-year sentence that the Executive is proposing for knife possession should mean four years, which would be the case if the Executive ended automatic early release?

**Cathy Jamieson:** At the risk of boring the chamber, I will repeat what I have said on a number of occasions, which is that it is the Executive's policy to end the current system of automatic unconditional early release. We asked the Sentencing Commission to look at that in some detail and its report is due to be published soon. I am sure that all members will study the report and will look to support us as we bring forward legislation to end the present system.

### **Rape (Convictions)**

**4. Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** To ask the Scottish Executive what new action it is taking to address the low level of convictions for rape highlighted in recent media reports. (S2O-8700)

**The Solicitor General for Scotland (Mrs Elish Angiolini):** The crime of rape is treated very seriously by prosecutors in Scotland. The Scottish Law Commission is examining the law of rape and sexual offences in Scotland. The commission's review will consider the definition of rape and other serious sexual offences in Scots law and the evidential standards that are necessary to prove

the crime. It is expected to report to the First Minister in 2007.

My officials have been carrying out a major and unprecedented review of the investigation and prosecution of rape and other sex offences, looking critically at all aspects of how we deal with sexual offences, from the earliest stages when a case is reported to the procurator fiscal to the presentation of the case in court. We are committed to learning from the findings of that review, which will be published in spring 2006.

**Margaret Jamieson:** I welcome the direction that the Solicitor General for Scotland's department is taking. She will be aware of the invaluable support that the rape counselling and resource centre, which is based in Kilmarnock in my constituency, gave to a woman in a recent case in Ayrshire. Will the Solicitor General undertake to discuss the funding of such organisations with the Minister for Justice and the Minister for Communities? At the moment, the centre receives funding from one local authority—East Ayrshire Council—and a small grant from NHS Ayrshire and Arran. It receives nothing from the police or the fiscals who refer victims to the centre or from any other public service in Ayrshire.

**The Solicitor General for Scotland:** I would be happy to have such a discussion with the Minister for Communities. In January 2004, the then Minister for Communities, Margaret Curran, announced funding of £1.96 million for the 10 existing rape crisis centres in Scotland and a further range of measures to help to stabilise and provide consistency in the services that rape crisis centres provide. Since that time, two new centres have been developed. Further new centres are being developed in areas where no provision is available.

I put on record my department's appreciation of the tremendous work that is carried out across Scotland by the rape crisis centres, including the one in Margaret Jamieson's constituency, which I understand gave invaluable support to the victim in the case to which she referred. The work of the rape crisis centres forms part of our current review of the investigation and prosecution of rape and other sex offences. I have the greatest respect for those who work in rape crisis centres or in the other agencies that provide such support. I am happy to communicate to the Minister for Communities the invaluable assistance that rape crisis centres provide to the prosecution of crime in Scotland.

**Mr Brian Monteith (Mid Scotland and Fife) (Ind):** Will the review of the crime of rape and its place in Scotland consider the question of male rape? If so, will changes be brought into Scots law to allow prosecutions to be brought against those who commit male-on-male rape?

**The Solicitor General for Scotland:** The Scottish Law Commission is looking at the subject of male rape. As the member may appreciate, the current definition of rape in Scots law is extremely narrow in comparison with those that are used in other jurisdictions. The definition of what is involved in the crime of rape is under active consideration.

Indeed, we have involved a number of agencies in the advisory group for our review, including from the network of organisations representing the gay community. They have assisted us in looking at how we can improve our service to victims of male rape. They are also helping us to ensure that we can better facilitate the victims giving evidence. Again, I look forward to the publication of the review report. Those agencies are central to the reviews of both the commission and my department.

#### **Child Access (Court Orders)**

**5. Phil Gallie (South of Scotland) (Con):** To ask the Scottish Executive what steps it will take to ensure that court orders for child access are adhered to. (S2O-8685)

**The Deputy Minister for Justice (Hugh Henry):** As I announced in the Family Law (Scotland) Bill stage 3 debate on 15 December, the Executive is introducing two new initiatives to help to address the problem of non-compliance with contact orders: a pilot project to appoint contact compliance officers to Scottish courts and new research to help us to understand the nature and scope of the problem better.

**Phil Gallie:** I welcome the minister's comments, but if a court makes a judgment, it should be adhered to. If it is not, justice, the law and the courts are brought into disrepute. Will the minister reconsider the matter and ensure that when access orders are imposed, they are complied with?

**Hugh Henry:** The matter was debated fully during stages 2 and 3 of the Family Law (Scotland) Bill. Parliament came to a considered view, to which I referred earlier. Irrespective of the conclusion that Parliament drew in relation to the bill, court orders are a matter for the courts to enforce. It is not for politicians to interfere with the judiciary or to dictate to it what should happen in the event of non-compliance with a court order. Serious measures are available to the courts should someone refuse to obey a court order, but that matter is best left to the judiciary.

#### **Antisocial Behaviour (Legislation)**

**6. Janis Hughes (Glasgow Rutherglen) (Lab):** To ask the Scottish Executive what measures are being considered to ensure consistency in

applying antisocial behaviour legislation across Scotland. (S2O-8698)

**The Deputy Minister for Justice (Hugh Henry):** Local communities across Scotland are rightly putting pressure on local agencies to make full use of the measures that we have provided to tackle antisocial behaviour. We are supporting them by keeping the public informed of the positive local results through publications such as our community newsletter, which has just been issued—copies have been given to members of the Scottish Parliament—and our first anniversary report on the Antisocial Behaviour etc (Scotland) Act 2004. Local agencies are preparing antisocial behaviour outcome agreements, which include clear targets, and the Executive is monitoring their performance.

**Janis Hughes:** I am sure that the minister is well aware of the excellent work that is being done in South Lanarkshire to tackle antisocial behaviour through the use of antisocial behaviour orders as well as the creation of a dedicated antisocial behaviour team, neighbourhood wardens and mediation teams. However, not all of the councils and other vital agencies that are involved in tackling antisocial behaviour are using the powers that the 2004 act confers on them. With that in mind, how will the minister address situations where agencies are not applying the rigorous standards that our communities expect from the act?

**Hugh Henry:** Janis Hughes makes an important and serious point. In passing the 2004 act, Parliament clearly expressed not only its determination to make an improvement throughout Scotland but its determination that the act be used to protect the public whom we serve. It would be outrageous if any agency or individual decided that they would defy the will of Parliament and not apply legislation where it should be applied. However, we should acknowledge that with any new legislation there is a learning and settling-in period.

As I said in the members' business debate last night, which Christine May introduced to highlight some of the excellent work that is being done in Fife, there are good examples of the law being used. We have seen clear action in Fife through the use of closure orders, seizure of vehicles and vehicle warning notices and we have seen the successful introduction of a pilot project in Tayside.

One of the reasons for producing a regular newsletter to be issued throughout Scotland is to ensure that not just elected representatives and agencies but the public know how well the act is beginning to be used in certain parts of the country. That will give people the confidence to ask their local representatives for the same

support.

We will engage with agencies. We will consider the antisocial behaviour outcome agreements and the plans and meet to have discussions in the areas where we perceive slight weaknesses. MSPs and councillors also have a role in considering what is happening in their area and meeting the police and councils to ensure that the legislation is being applied effectively.

### Scottish Fingerprint Bureaux

**7. Mr Kenneth Macintosh (Eastwood) (Lab):** To ask the Scottish Executive how it will support the work of the Scottish fingerprint bureaux. (S2O-8706)

**The Minister for Justice (Cathy Jamieson):** The Scottish Executive has supported the establishment of the Scottish fingerprint service out of the four fingerprint bureaux and we plan to incorporate that service within the proposed Scottish police services authority. We support the service financially and we will be funding the introduction of a new state-of-the-art electronic fingerprint system.

**Mr Macintosh:** Is the minister aware of my long-standing concern about the lack of support that has been shown to three of my constituents who work for the fingerprint bureaux and who have been the subject of unfair and one-sided criticism as a result of their involvement in the Shirley McKie case? Notwithstanding the outcome of that case—I appreciate that the matter is sub judice—for the sake of securing trust and confidence in the future of the service and addressing the damage that has been done to my constituents and in the interests of justice, does the minister agree that my constituents deserve the right to have their affair considered independently and to have their account examined in a public forum?

**Cathy Jamieson:** I recognise that Ken Macintosh and Des McNulty have both made strong representations on behalf of their constituents—I said that in a previous parliamentary answer at the beginning of December 2005. However, because matters are still to be dealt with and might come before the courts, it remains important that I do not say anything in the chamber that might have an inappropriate bearing on that.

In response to the previous question, I indicated that employers have a duty of care to any employee. I hope that the points that Ken Macintosh has raised with me previously and which I have met him to discuss have been taken up. However, I do not want to comment further on this case at this point.

## Enterprise, Lifelong Learning and Transport

### Broadband Coverage

**1. Maureen Macmillan (Highlands and Islands) (Lab):** To ask the Scottish Executive, in light of the Deputy First Minister's statement on 29 December 2005 that the Executive is developing the next steps for providing solutions to the clusters of households that are still out of reach of broadband, what solutions are being considered and what the criteria for inclusion will be. (S2O-8702)

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen):** At the end of last year, I announced that the Executive had met its commitment to extend broadband to every Scottish community by the end of 2005. We achieved that through the largest project of its kind in the United Kingdom, which delivered broadband to 378 remote and rural telephone exchange areas in just eight months.

We are, of course, aware there are still a number of households within some communities that are out of reach of broadband, so we are, with the help of independent technical advice, currently considering criteria and potential solutions. We will finalise that work over the next few months. I encourage anyone who is affected to contact the telecommunications policy team in my department to ensure that their needs are known about.

**Maureen Macmillan:** Is the minister aware that I am e-mailed almost daily by people who are desperate for broadband but cannot access it? Yesterday, I was contacted by a couple in the Black Isle who run an information technology service for clients across the Highlands. On moving to a new house only half a mile from their previous house, they find that they cannot now get access to broadband. Does the minister realise how deeply frustrating that sort of thing is? Will he advise me on the timescale for connections for such people? How can my constituents best present their case to the Executive and the service providers?

**Nicol Stephen:** The encouraging news is that although when this started to become a big issue for Parliament—back in 2001, when the Executive launched its broadband strategy—there was only 43 per cent coverage for broadband in Scotland, compared with a United Kingdom figure of 63 per cent, Scotland now has 99.7 per cent access to broadband. That is on a par with the rest of the UK and ahead of most of the European Union. There has been significant improvement, but I appreciate the concerns that are being spoken about.

The problems relate to technical issues to do with the distance from the upgraded exchange—

the copper wires have limitations in terms of reach. BT is examining the issue carefully. It can test lines and is finding that, in many instances, it can achieve broadband connectivity at acceptable levels with the right technical solutions.

We will work with independent advisers to try to overcome the problems for individual households or groups of households and we will try to get a strategy agreed by the spring; I think that solutions will by then have been found in a number of cases. Improvements are being made weekly in relation to the problems, but some households still have significant problems. After the spring, we should be able to indicate our approach to the problem. We have allocated a budget so that it will be possible to invest appropriate resources where a value-for-money solution can be delivered.

**Mr John Swinney (North Tayside) (SNP):** I welcome the Government's progress on the issue, but I caution the minister on the use of statistics such as the one about 99.7 per cent of people having broadband access. As he will know, although many exchanges have been enabled, the subsequent infrastructure beyond some exchanges is not sufficiently robust to deliver broadband to individual households. That is especially the case in rural and isolated areas in my constituency, where the pairing of lines where there is inadequate capacity in the infrastructure is a real impediment to the roll-out of broadband. Will the minister take those circumstances into account and is he prepared to consider individual cases to ensure that the Executive is well informed about the technical improvements that are still required?

**Nicol Stephen:** Yes, I am prepared to do that—we want to know about each individual case. I encourage MSPs to contact me or the telecoms policy branch in the Enterprise, Transport and Lifelong Learning Department, so that every individual case is logged and action can be taken.

John Swinney is right to say that there are limitations associated with the ADSL copper-wire technology. It may be that that can be upgraded in certain cases, or it may be that an alternative solution can be found. That is why it is important to have a strategy and to consider the circumstances of each individual case or clusters of households. The plan is to tackle the issues during 2006-07, so a budget has been allocated for that purpose. We do not want any further delay; we want to roll out solutions for as many households as possible during 2006-07.

I cannot promise to find solutions for each household. However, John Swinney will know that it is possible through satellite broadband, for example, to get to even the remotest rural areas. I very much hope that we can find a solution for everyone who has an interest in and a requirement for broadband.

## **Economic Development Strategy (Scottish Borders)**

**2. Christine Grahame (South of Scotland) (SNP):** To ask the Scottish Executive whether it will review the success of the new ways economic development strategy in the Scottish Borders, in the light of recent redundancies. (S2O-8732)

**The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson):** The new ways economic development strategy is the Scottish Borders community planning partnership's long-term strategy to diversify the economy. It is not for the Executive to review the strategy's success; that is a matter for the community planning partners. However, I understand that their recent review of the strategy showed evidence of progress. It showed sustained evidence of a growing entrepreneurial culture, with a 43 per cent increase in business start-ups, increased business survival rates, a 300 per cent increase in the number of businesses that use broadband and continuing high levels of employment and low levels of unemployment compared to the Scottish average.

**Christine Grahame:** The minister is obviously reading from a different script from me—for which I am thankful.

Now for the truth. When the strategy was launched more than six years ago, it promised increased prosperity and jobs in the Scottish Borders, but we continue to see sustained job losses in textiles, electronics, farming and tourism. The Scottish Borders has the lowest-waged economy in Scotland—the minister should know that from the statistics. Will he take the opportunity to visit Scottish Enterprise Borders and see what can be done to provide sustainable and decently paid jobs in this worst part of Scotland?

**Members:** The worst part of Scotland?

**Christine Grahame:** I mean for low wages.

**Allan Wilson:** The member is genuinely reading from a different script from me. Nobody in the chamber, except Christine Grahame, recognises that description of the Scottish Borders. I would love to pay yet another visit to the Scottish Borders. It is not for me to second-guess the local community planning partners; it is for them to develop their strategy. It is regrettable that companies have had to close, although a strategy for long-term diversification in the local economy cannot be judged after two years.

Scottish Borders has an employment rate of 79 per cent, which is 4 per cent above the Scottish average, and an unemployment rate of 1.7 per cent, which is almost half the Scottish average. Such facts contradict what the member has said and are evidence that the strategy has been successful.

**Christine Grahame:** Crap.

**Euan Robson (Roxburgh and Berwickshire) (LD):** In the light of the redundancies, does the minister agree that help should be made available from his department to assist marketing initiatives for the cashmere industry? Will he also review Scottish Enterprise's expenditure on training grants to textiles companies with the intention of increasing expenditure on training grants, which are important in ensuring the future supply of labour to the industry?

**The Deputy Presiding Officer (Trish Godman):** Before the minister answers, I remind members that they are in Parliament and that they should watch their language. I am not talking to the minister in particular—I am talking to all members.

**Christine Grahame:** I am sorry.

**Allan Wilson:** I will certainly bear in mind your strictures, Presiding Officer.

I thank Euan Robson for his more measured question. He raised a number of important issues that relate to how we should help local economies to grow and prosper and how we should help the textiles sector in particular.

Scottish Development International provides £50,000 annually to support and promote the textiles industry internationally. Also, Scottish Enterprise Borders has contributed £419,000 to the Scottish Cashmere Club, for example, which represents 85 per cent of the Borders-based cashmere industry. In addition, there are levers such as regional selective assistance and direct support from Scottish Enterprise Borders. I am sure that the local enterprise company and the local community planning partners will review the level of support. If that level of support needs to be upped to assist the textiles sector, it should be. However, we should not ignore the fact that Kinloch Anderson Limited, Fielding Manufacturing Limited, Donald Brothers Limited and Russell Athletic have all made acquisitions in recent months and that there are a number of success stories as well as problem areas in textiles.

### **Crichton University Campus**

**3. Dr Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive what capital funding may be available to the higher education institutions collaborating on the Crichton university campus in Dumfries to enable them to expand and improve the facilities at the campus. (S2O-8714)

I ask that because I believe that I represent the best part of Scotland.

**The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen):** In the 2004 spending review, specific

capital funding of £148 million was allocated to our universities. That funding is designed to support the transformation of the higher education teaching estate. The funding council will allocate the money to individual projects or to institutions. Crichton university campus could receive funding either through its parent institutions—the University of Glasgow, the University of Paisley and Bell College—from formula funding or through project-specific funding if the parent institutions make a successful joint bid.

**Dr Murray:** I will certainly be interested in obtaining further details about that.

So far, the higher education institutions on the Crichton campus have received in the order of £2.3 million, which has enabled them to attract an additional 150 student places, but is the minister aware that a similar collaboration in the south-west of England involving the Combined Universities in Cornwall—the other CUC—has attracted £150 million of objective 1 funding and further and higher education funding, which has enabled it to attract another 4,000 students by 2007? Does he agree that such funding is extremely important to areas such as Dumfries and Galloway, particularly in the light of the unique work that has been done at the Crichton campus in bringing together further and higher education in line with the Scottish Executive's policies? Does he also agree that it is extremely important not only for the furtherance of the Executive's further and higher education policies, but for the local economy in Dumfries and Galloway, that there is capital investment in the Crichton campus that will allow us to attract more students—particularly from overseas—to the campus?

**Nicol Stephen:** I certainly want the Crichton campus to be developed. Dr Murray quoted some large figures. I make it clear that the Scottish Further and Higher Education Funding Council has already been supportive of Dumfries and Galloway College's plans to develop next door to the Crichton campus site—and therefore, in effect, to develop as part of the development of the Crichton campus—and that £18 million of capital grant has been approved in principle, subject to the confirmation of European regional development funding and the college pursuing other sources of independent funding. It looks as though that ambitious project will go ahead.

Not only are the mainly part-time 1,200 students on site, but Barony College, the Open University and the Scottish Agricultural College all offer provision on the campus. The Crichton campus has been a great success story for all of Dumfries and Galloway and I want to do what I can to encourage its future development. However, it is right that the funding council makes the detailed decisions. I am confident that it can arrive at the

best decisions that serve the best interests of higher and further education in Dumfries and Galloway.

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** I applaud what the minister has said in pointing out the successes of the college.

Does the minister accept that, unless the Executive intervenes to ensure that the Crichton project receives the capital funding that it now requires as a result of those successes, the current partners will be forced to abandon the project altogether? Does he acknowledge the vital role that the campus plays in providing further and higher education in a remote and rural area? Does he also recognise the enormous role that it plays in social inclusion? Will he acknowledge its potential for the regeneration of Dumfries in Galloway and the south of Scotland, just as the university of the Highlands and Islands holds potential in the north of the country?

**Nicol Stephen:** Let me make it clear that I would strongly resist any hint of the abandonment that Alex Fergusson described and would do whatever I could to prevent that.

It is sometimes difficult to have the right funding structure for rural areas. I know that the funding council is considering the Crichton campus. It is also sometimes difficult to get right the funding structure through which institutions can collaborate. It is up to us all to respond to those challenges and get them right. It is vital that all parts of Scotland, including rural Scotland, get the quality of further and higher education that they need. It is vital that we do that by encouraging institutions to work more closely together and by avoiding an insular approach. If there were any suggestion that such an approach could affect the Crichton campus, I would take whatever steps I reasonably could to prevent it. The success of the Crichton campus has brought provision to an area that traditionally has been underrepresented in higher education. We need to do more rather than less.

### Inverness (Transport Links)

**4. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** To ask the Scottish Executive whether it considers that levels of investment in improved road and rail links for Inverness since 1999 have been fair or sufficient. (S2O-8720)

**The Minister for Transport and Telecommunications (Tavish Scott):** Yes. Through processes such as the strategic roads review and the management of the ScotRail franchise, we have identified a balanced programme of improvements, which will bring benefits to all transport users across the whole of Scotland.

**Fergus Ewing:** The minister is a notoriously observant chap, so he will know that Inverness is Scotland's fastest-growing city, but it lacks dual carriageway links and has a single-track rail link to Perth. Is he aware that a ring road is planned? The Executive has also promised Glasgow a ring road—the M74—for £500 million, and Aberdeen has been promised one for £300 million to £400 million. The Executive has also committed a round figure to Inverness's ring road: zero. Is he aware that it has been suggested that Tesco should, in respect of planning gain, contribute £13 million to Inverness's ring road? Inverness has no Scottish Executive, but it has a Tesco. Is Inverness the city that Jack and Tavish forgot?

**Tavish Scott:** We had such a constructive debate this morning and agreed on so many aviation issues that I thought that that good principle could have continued this afternoon. However, I suppose that one out of two is not too bad when it comes to disagreeing with Fergus Ewing. Not for the first time, he talked a load of rubbish. He started by saying that there were no dual carriageway links around Inverness. The last time I drove to Inverness, there were several dual carriageway links all the way up the A9 and through the Black Isle and other areas. Perhaps Mr Ewing could state a few facts, although I know that facts never worry him.

Moreover, between 2001 and 2005, £54 million has been spent on maintenance and minor improvements on a variety of routes around Inverness. I believe that those minor improvements have been pretty important, given the safety challenges that we faced and given the representations that, time and again, we received from different individuals. If Mr Ewing chooses to disparage those improvements, he may do so, but that is certainly not what I would do.

In addition to that investment in roads, through Network Rail we have invested £10 million to £20 million on rail routes around Inverness in each of the past three years—including £17 million this year alone.

## Cultural Commission

**The Deputy Presiding Officer (Trish Godman):** The next item of business is a statement by Patricia Ferguson on the Cultural Commission. The minister will take questions at the end of her statement. Therefore, there should be no interventions.

14:55

**The Minister for Tourism, Culture and Sport (Patricia Ferguson):** On St Andrew's day 2003, the First Minister said:

"I marvel when I see what a fantastic country Scotland is for cultural expression ... we need a greater sense of ambition in our approach to culture ... we can set a course that will, over several years, make a huge difference."

My message today is that the enthusiasm of that occasion, when the Executive celebrated its passionate commitment to our nation's culture, is not reserved only for our patron saint's day. Our commitment is for all seasons. We remain ambitious for Scotland's cultural life—ambitious to promote our twin aspirations of excellence and access. Today, I will share with members how we plan to invest, as never before, to make our aspirations a reality.

On St Andrew's day 2003, the First Minister outlined the Executive's vision for culture. Today, my statement and the document "Scotland's Culture", which we published today, set out a new cultural policy for the years to come. They define the infrastructure and legislation to deliver it. They also describe our investment, which we are proud to make.

Scotland as a nation is blessed with immense creative talent. Let me start by briefly reaffirming why the Government has a passion to see that talent flourish. The importance of that talent could easily be overlooked because of its very centrality—but not by this Government. The artists whose work delights and touches us in turn help to articulate our experience of life—in pictures, words, music and movement—by adding their personal vision in ways that are immediate, universal and timeless. Therefore, it is fitting that we should define a cultural vision that seeks to provide creative expression and opportunity for all as

"the next major enterprise for our society".

The Scottish Government believes that culture is a vital ingredient in the country's success, both here and overseas. Culture is also central to the well-being of Scotland's citizens. Its inspirational qualities defy measurement—just as there is no adequate way to define the confidence and pride that culture's myriad works stir up in those who participate and in those who look on in admiration.

The First Minister proposed a fresh policy of cultural rights for every citizen to access high-quality provision. He said that the then impending review would examine whether the infrastructure was in place to realise our hopes for Scotland's cultural life. Today, we announce our decisions on the cultural review. I think it fair to say that the Cultural Commission's report, which is one of the most comprehensive examinations ever undertaken of Scotland's cultural life, received a mixed press. As I said in Parliament in September, I welcomed the enthusiastic contributions from people who hold our culture dear and want their aspirations to be realised.

The commission was asked to produce a route map to implement the ambitions that the First Minister had described. It was asked to suggest practical and efficient ways that would focus the resources available on producing culture, not on fuelling bureaucracy. I do not propose to dwell on whether that is what the commission did. My task today is to say what I think is the best course for policy, infrastructure and our strategic direction.

In policy terms, the Executive's objectives for Scotland's future cultural development are those that I suggested during our September debate. We seek to celebrate the country's cultural and creative talent and to develop it to the highest levels possible. We aim to maximise practical opportunities for all citizens to access culture of real quality. All the changes that I am announcing today are focused on those goals.

In November 2003, the First Minister said that Scotland should embrace the concept of cultural rights, to ensure that people have an equal chance to participate in the nation's cultural life and heritage. The starting point was to examine ways of ensuring rights of access for citizens and communities across Scotland, so that people can have more opportunities to take part in cultural activity.

We have studied the commission's proposals on rights and entitlements. The action that we shall take seeks to make a real difference in helping everyone to gain access to the arts. We believe that there are two elements to that. First, there is the framework of international and European rights that already exist, such as those that are laid down by the United Nations Educational, Scientific and Cultural Organisation. In the policy document that is published today, we endorse the international provisions unreservedly. Secondly, there is the issue of how those rights are made real locally—in other words, entitlements. We see responsibility for such entitlements falling to local government, as part of its cultural and community planning responsibilities.

Local authorities already play a major role in delivering cultural services, so it is entirely

appropriate that they should play a pivotal role in widening opportunities as part of our new vision. Legislation will require local authorities to develop cultural entitlements and cultural planning, as part of their lead community planning role. That will ensure that the needs and wishes of people and communities can drive cultural provision in their local areas. I believe that this represents a powerful package of rights for communities to access and enjoy the best and widest possible range of cultural activity.

The opportunities provided through entitlements could include access to information about a local area's cultural heritage, free access to a live performance or the chance to take part in a community art project. We shall work with the Convention of Scottish Local Authorities to find effective and practical ways to fulfil that duty, reflecting high-quality standards of provision. We shall look to local authorities and their community planning partners to demonstrate the rich and invaluable contribution that culture can and will make to the lives of everyone living in Scotland, across the widest range of local services.

The approach that I have described mirrors very much what the Executive is doing in light of the First Minister's 2003 speech, when he announced the Scottish Cabinet's collective ambition to place culture at the heart of the policy-making agenda. As a response to the cultural review, all Cabinet ministers have pledged to consider how their future portfolio policy and financial initiatives might be assessed for the contribution that they can make to supporting and developing the Executive's cultural agenda for Scotland. Other portfolio contributions can impact in many ways, such as the Education Department's support for literature and arts in the curriculum and the Health Department's funding for projects improving mental health and physical activity through the arts. That shared commitment demonstrates my belief that, if we work together, we can make a real difference and bring culture into many more lives than it touches now.

As I indicated in September, I believe that the clarification of roles is vital if the change that we plan is to be effective. The new cultural infrastructure for delivering our policies is focused on what I see as the Scottish Executive's responsibilities for support and development. Beyond that, we shall act to encourage our principal partners and other providers to develop their contributions, to ensure that Scotland as a whole can enjoy the results. We have an important opportunity to establish the right cultural landscape and to reorganise activities to deliver our goals. I intend to explain how the Government's top cultural objectives will be served by the delivery arrangements that I am about to describe.

We have an obligation at national level to do three crucial things: first, to ensure that cultural talent in Scotland is recognised and nurtured and that excellence is developed as a national resource, recognising and advancing Scotland's outstandingly talented artists and their achievements; secondly, to promote the best of Scotland's rich cultural treasure trove, maintaining and presenting, as openly and accessibly as possible, Scotland's superb national galleries', museums' and library collections; and thirdly, to make the best of the nation's performing activity available, right across the country, providing national performing arts companies that produce excellence in and for Scotland.

The organisations that form part of our present cultural infrastructure have achieved much, and my ambition now is to build on that success. We must ensure that our future cultural achievements, and those of our partners, are delivered in ways that boost participation, access and enjoyment.

As I have said, the first thing that we must do is help Scotland's cultural talent develop to the highest possible levels by taking what I shall call the escalator approach. Too often, the success of talented performers and Scotland's creative community is more the result of good luck rather than good planning, of serendipity rather than support. We think that ambition and talent deserve a helping hand. We need to link up the stages in artists' career journey from the early discovery of cultural talent through education and training and into the world of work in the creative community.

The education and outreach activity that we shall expect from all nationally funded cultural organisations will help to give younger and older people right across Scotland a wealth of top-quality opportunities to learn and develop.

As far as the pre-school stage is concerned, we shall aim to build on—and perhaps extend the focus of—the successful bookstart programme. In schools, cultural engagement and creativity will have an important role to play, and we will bring together programmes such as cultural co-ordinators and active schools co-ordinators to work with teachers in dynamic teams to maximise pupils' experiences of culture. In developing the curricular framework, we intend that culture should be not just a context but a vehicle for learning, and we will want to build on the successes of our youth music initiative.

After school, further and higher education institutions will have an important part to play. The Royal Scottish Academy of Music and Drama, the recently launched Scottish Screen Academy and other initiatives involving Scotland's renowned art colleges all have a role in facilitating access, developing talent and equipping their students to take advantage of creative opportunities.



Of course, it is not enough to develop talent through the formal education system. We also need to sustain it and to provide an environment in which it will flourish and be appreciated. As a result, we will establish a new cultural development agency called creative Scotland, which will be formed by merging the Scottish Arts Council and Scottish Screen and which will have the key task of developing talent and excellence in all branches of the arts and in the creative and screen industries.

In establishing the new agency, we will ensure that we put in place the right support package to enable Scotland's creative industries to thrive. We will also promote the parts of the creative sector that deserve a new focus, such as publishing, literature and contemporary music.

Creative Scotland will lead the development of national standards for the creative sector and advise on cultural entitlements. It will also draw up national guidance to maximise the contribution of all parts of the cultural sector and other partners, including the private and voluntary sectors. Moreover, through Arts & Business Scotland, I will make available from April new funding to encourage wider sponsorship of the arts.

It is no secret that I am also particularly keen to ensure that we celebrate the role and contribution of our best creative artists. A new scheme to recognise their achievements will be launched later this year.

The Government's second key role is as the custodian of Scotland's rich cultural treasures, maintaining and presenting our superb national collections. I am keen to make those collections truly accessible to us all and to present them as widely and effectively as possible to domestic and international audiences.

We will expand the cadre of national collections bodies to help to maximise the presentation of their world-beating contents. As a result, to the National Galleries of Scotland, the National Museums of Scotland and the National Library of Scotland, we shall add the National Archives of Scotland, the Scottish Screen archive and the Royal Commission on the Ancient and Historical Monuments of Scotland.

We want to ensure that resources are directed not to where they will be wasted on unnecessary bureaucracy but to where they will make most impact. Although we will maintain our institutions' independent status, we will take this opportunity to explore how joint approaches can best improve delivery. Joint exhibitions and combined support functions and outreach activity are just some of the aspects that could deliver real benefits.

The national collections bodies will also play a part in delivering the cultural rights agenda. They

will be responsible for developing national standards for their sectors and will help to develop and, as appropriate, provide cultural entitlements.

Of course, a range of other organisations throughout Scotland also hold collections of national significance and make a major contribution to the achievement of our national cultural priorities. Scotland's local museums and galleries will therefore benefit from increased national funding with the launch of the new recognition scheme developed by the Scottish Museums Council. Industrial museums will also benefit from increased funding. In collaboration with the Scottish Library and Information Council, I will also be making funds available to promote the maintenance and improvement of standards in public libraries throughout Scotland.

The third key role of Government is to support the national performing arts companies that are producing work at the highest level. As members know, our national performing arts companies are currently Scottish Opera, Scottish Ballet, the Royal Scottish National Orchestra, the Scottish Chamber Orchestra and the National Theatre of Scotland. We are proud of our existing national companies and we want them to flourish. We have decided to establish explicit criteria to define the status of a national performing arts company so as to include adult and youth companies alike. Organisations that qualify for national performing body status will have to meet exacting criteria, including achievement of the highest artistic performing standards. Those standards will provide the target to which all budding arts companies should aspire and then continue to meet. In future, it will be open to performing companies—adult and youth alike—that are not presently counted among the national companies to join if they meet the qualifying criteria. We will expect the new national companies to co-operate with one another on joint projects and productions and to collaborate on common administrative functions.

To underline its commitment, the Executive plans to increase its funding to the companies that qualify beyond the level currently made available through the Scottish Arts Council. In future, the Executive will fund the national companies directly. That is consistent with our relationship to the national collections. We will therefore work with the companies and the Scottish Arts Council to put the necessary funding arrangements in place as soon as possible and to provide for the transfer of relevant Scottish Arts Council staff to the Executive. Nothing in those new arrangements will affect the artistic independence of those companies. That must not, and will not, be compromised. Like the national collections, the national performing bodies will also be expected to contribute to the cultural rights agenda and the

development of standards and entitlements for their respective sectors.

The Executive currently dedicates 1 per cent of its total budget directly to culture—£187 million in the current financial year. That figure increases significantly when our contribution to local authority cultural expenditure is included. That contribution amounts to approximately £200 million, and it is supplemented by a further £200 million committed by Scottish Executive departments that use the power and creativity of culture to help to achieve their objectives.

By 2007-08, the Executive's annual cultural spend was already planned to increase to £214 million. In order to implement the decisions laid out in the policy paper, I have secured an additional £20 million per annum from April 2007 onwards. That is an exceptional increase of almost 10 per cent in the Executive's annual spending on culture in advance of the 2007 spending review. We will channel that new investment to bolster the ability of our national cultural organisations to develop and present for Scotland the best creative and cultural talent. We will bring the necessary budgetary revisions before Parliament later this year.

Today marks the start, not the end, of a new journey towards achieving our ambitious aspirations for Scotland's cultural life. That journey began on St Andrew's day 2003 and Scottish ministers are now determined to continue it to reach a Scotland that values and celebrates its culture and its experience of culture.

The commitment has been made, the ambition to achieve excellence has been stated and the vision is now coming into focus. What I have announced today will ensure that all Scots can share in the fruits of the culture that inspires and defines us. I invite members to support Scotland's cultural future, which I have outlined, and to endorse the means of achieving it.

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

The minister will now take questions on the issues raised in her statement, for which around 40 minutes will be allocated. I invite members to press their request-to-speak buttons now. I call Michael Matheson, to be followed by Ted Brocklebank.

**Michael Matheson (Central Scotland) (SNP):** I thank the minister for providing an advance copy of her statement, or at least the first 19 pages of it—three pages were missing.

I welcome the new resources that the minister has just announced. The Scottish National Party shares her ambition to ensure that the Scottish cultural community can flourish and develop. Clearly, there are a number of proposals in the minister's statement that are to be welcomed, in

particular the provisions around education. However, there was limited detail in the statement and I suspect that the devil will be in the detail and that it will take some time to get the detail and flesh out exactly what impact the proposals will have.

I want to question the minister on two areas. First, I welcome the decision to fund the national companies directly, which the Scottish National Party proposed doing several years ago and which we also proposed in our submission to the Cultural Commission. However, there will clearly be concern within the Scottish Arts Council that the Executive has decided to remove the proportion of SAC funding that would have gone to the national companies and to return it to the Executive. When does the minister intend to implement that change? Why has she chosen to fund the national companies directly but not to leave the existing moneys for them in the SAC budget, thereby giving its budget a significant uplift that would allow it to support other community cultural activities?

Secondly, on the issue of entitlements, I am sure that the minister will be aware that councils must often turn to their culture budget when funding is tight, as it is seen as a soft target. I am sure that she will agree that although she may make legislative provision for entitlement at a local level, that will not necessarily make the cultural programmes that need to develop at a local level actually happen. How does she intend to ensure that local authorities provide the right resources to ensure that good cultural programmes develop at a local level and that those programmes allow people to take up their new-found entitlements?

**Patricia Ferguson:** First, I apologise to Mr Matheson if he did not get the entire version of the speech. We will ensure that he receives it in due course.

We will obviously have to enter negotiations with a number of organisations in order to make what I outlined in my statement a reality. We will do that very quickly. A series of meetings is already in place for the next couple of weeks and we will work to ensure that people and organisations are not left in limbo for any time. We want to ensure that the transitions happen just as quickly as we can arrange them.

The money that is currently given to the national companies to allow them to operate is actually Executive funding, channelled through the Scottish Arts Council. We will fund the companies at a level that is appropriate to the work that they are required to do. We will enter negotiations with them to ensure that we are coming to the kind of totals that we think are right. We are aware that a number of the companies have deficits and we are

working very hard to ensure that they are not burdened with such deficits in the future.

As far as leaving money with the Scottish Arts Council is concerned, obviously we are talking about setting up an entirely new agency—creative Scotland—to replace the SAC. We will have to negotiate and work with it to assess the levels of funding that it will need to do the tasks that we ask it to do. That negotiation, too, will begin relatively quickly and I will obviously be keen to report back to Parliament as soon as it has concluded.

**The Deputy Presiding Officer:** It is, in fact, Murdo Fraser who will lead for the Conservatives. He will be followed by Donald Gorrie.

**Murdo Fraser (Mid Scotland and Fife) (Con):** On behalf of the Scottish Conservatives, I welcome the minister's statement, which is a long-awaited response to the Cultural Commission's report. I also thank her for the copy of the statement. Like Michael Matheson, we were also missing three pages, so he should not feel victimised.

We particularly welcome the announcement of direct funding for the national companies, which is a measure for which the Scottish Conservatives have called for many years. I think that we did so in our manifesto for the 1999 elections, so I am delighted that the Executive has caught up. I seek to tease out a little more detail from the minister on that issue and on a secondary issue. What will be the status and structure of the five national companies that are to come under the Executive's control? Will they be classed as non-departmental public bodies or will they have some other designation? Will they be directly responsible to ministers, as is, for example, the Scottish Qualifications Authority?

I also have four short specific questions on the new body that is to be established, creative Scotland. I appreciate that the minister may not have all the details today but, if she does not, perhaps she will answer my questions subsequently. First, will the body have an elected board? Secondly, will it be an audited body? Thirdly, what funds will it hold? Fourthly, for what purposes will it hold its budget?

**Patricia Ferguson:** The member asked several detailed questions.

The governance arrangements for the national companies will largely continue as at present. They will have their own boards and operational systems, but we will encourage them to work together to share back-office functions wherever that is appropriate and possible and to ensure that they programme comprehensively so that we do not have clashes. We believe that a number of steps can be taken. We are putting the national companies on a footing that is similar to that of our national collections, which is entirely appropriate.

Creative Scotland will have Exchequer funding through the Scottish Executive and will also hold the lottery funding that the Scottish Arts Council currently holds, which is an important principle to establish. The body will not be audited in the formal sense of the term that Mr Fraser perhaps meant, but it will certainly be the subject of funding negotiations with the Scottish Executive. As always, we will ensure that those are as transparent and open as possible. The other questions that Mr Fraser asked about creative Scotland may be answered in the Executive's response to the cultural review, to which I referred. If not, I will make a point of writing to him with the answers.

**Donald Gorrie (Central Scotland) (LD):** The minister's statement in response to the Cultural Commission report was judicious and well balanced and steered a good way through the minefield. The extra money that the minister announced is welcome. I am sure that all interested members will try to squeeze out more money, but she has done well.

I want to focus the minister's attention on how we can deliver better opportunities for local cultural activity. It is important that the new money that she has announced goes to the scene of the action and is used effectively. Local authorities are a major partner in providing culture, so they must be greatly involved locally. The commission suggested local cultural forums as a vehicle. What we call such bodies is a matter of opinion, but the minister should encourage the creation of local bodies through which local authorities and people who are interested in providing or taking part in culture in different ways join together. If individuals wish to take up music, art, dancing or drama, local drama associations, choirs, dance groups and so on that are supported by the council should be available for them. The vexed question of charges for premises must also be dealt with properly. We need a partnership between councils and local cultural people that delivers opportunities. We cannot tell a person who wants to sing that they have an entitlement to do so when there is no local organisation for singing. I ask the minister to focus on those issues. She has dealt well with national issues, but we really must deliver locally, too.

**Patricia Ferguson:** The mechanism that we plan to put in place will address the issues that Donald Gorrie raises. We see local authorities as spearheading the citizen-led approach to the development of cultural rights and entitlements throughout the country. We recognise that those rights and entitlements will be developed in ways that are appropriate for the local level, and I hope that local communities will participate actively—*[Interruption.]*

**The Deputy Presiding Officer:** Minister, it is important that you address your microphone. Your voice fails significantly when you turn to address the questioner.

**Patricia Ferguson:** My apologies, Presiding Officer. I never like to be rude to Mr Gorrie, but on this occasion perhaps I shall have to be.

As I said, we recognise that rights and entitlements will have to be developed in ways that are appropriate for the local level, and we hope that local communities will participate actively in the development of those schemes through the cultural and community planning network. We will work with COSLA and its sister organisation, the Voice of Chief Officers for Cultural, Community and Leisure Services, to produce guidelines and quality assurance tools to assist local authorities in reaching that goal. I hope that that will be helpful to local communities.

**Christine May (Central Fife) (Lab):** I remind the chamber of my declaration, in the register of members' interests, of my chairmanship of the Scottish Library and Information Council.

I welcome the minister's statement, particularly the additional resources that she announced. I have two specific questions, the first of which is on quality improvements in libraries and the money that is available for that. Given that a number of local authorities have achieved significant improvements in quality using existing resources, will she ensure that the additional resources are used not only to help those who have been unable to improve, but to help those who have improved to develop further? Secondly, in encouraging community planning partnerships to build in cultural rights, can she say a bit about how she will consider those areas where community planning partnerships span different health boards, local authorities and local enterprise companies?

**Patricia Ferguson:** On public libraries, as I am sure that the member is well aware, the organisation of which she is chair has worked out a helpful matrix for improving standards. We intend to fund a pilot to assist some 10 public library authorities to develop those standards and evaluation criteria. We wish to ensure that, having piloted that, checked that it works and confirmed the data, it is something that we can take throughout the country.

As far as the community planning partnerships are concerned, I hope that we can manage not to restrict people to the community planning area in which they happen to live. I am conscious that because of history, size or geography, some local authorities are better endowed with wonderful collections, exhibits, theatres and so on than others. I hope that where there is more cultural provision in one local authority or cultural planning

area than there is in another, partnerships will develop across those boundaries and that people will work to ensure that they are achieving the appropriate set of rights and entitlements for the communities in their area, while not restricting them to that area for participation purposes.

**Chris Ballance (South of Scotland) (Green):** I congratulate the minister on bringing the statement to Parliament. I have no doubt that it was not her department that was responsible for a well-informed article in last Sunday's papers.

May I suggest to the minister that it is at the very least questionable to describe the Executive's £187 million spend on culture—out of a total managed expenditure of £27 billion—as 1 per cent?

It would be churlish not to welcome the extra £20 million per annum—according to the Cultural Commission, that is the minimum needed to restore arts funding to the level it was at before the Government came to power in 1999. However, the commission argued for an increase of five times that in order to make the First Minister's dream a reality. How much of the extra £20 million will go into new bureaucracies and how much will go directly into the hands of Scotland's artists? Does the minister agree in principle that it is Scotland's artists who can deliver the First Minister's dream and that sustainable careers are more important than structures?

**Patricia Ferguson:** I am glad that Mr Ballance asked that question. I want to put on record that what the Cultural Commission said was that it saw the figure of £100 million as largely symbolic and that that was the amount of money that should accrue to culture across two to three spending reviews. It also identified eight sources of funding, only one of which was the Scottish Executive. In addition, I point out that the figure that the commission used was based on the 2003-04 figure of £138 million as the global budget for culture in the Scottish Executive. By the time that the Cultural Commission reported, that figure had increased; by 2007-08, there will have been an increase of £76 million to £214 million.

The £20 million that I have secured will be a baseline figure and I can use it to lever in additional funds at future spending reviews. In addition, my colleagues throughout the Executive are identifying an additional £200 million from their portfolios to contribute to our ambition. That is not necessarily the end of the story, but it is a good way of taking forward the First Minister's ambition.

**Ms Rosemary Byrne (South of Scotland) (SSP):** Will the minister assure the Parliament that companies such as the 7:84 Theatre Company, which actively promotes access to participation in theatre in line with the Cultural Commission's

recommendations, will be protected? Given that 7:84's funding is guaranteed for only a matter of weeks, how will that protection be ensured?

**Patricia Ferguson:** I do not think that today is the day to go into the individual funding details of any particular company. Obviously, those funding arrangements are being discussed between the Scottish Arts Council and the company that Rosemary Byrne identifies.

The Scottish Arts Council, quite rightly, carries out reviews of the organisations that it funds to ensure that they are achieving best value for money and that the money that they spend on behalf of the citizens of Scotland is used to further access, excellence and the other remits that we have given them. The SAC has to make funding decisions. Those decisions are not always comfortable or popular but I believe that when the SAC makes them it has all the information and considers all the facts. We will have to wait and see what its decision is on the company that Rosemary Byrne identified.

**The Deputy Presiding Officer:** I advise that I have a great many names on my screen. Having been round all the parties, I will therefore restrict subsequent members to a single question and I will interrupt if there are elaborate build-ups before those single questions. I call Susan Deacon, to be followed by Alex Neil.

**Susan Deacon (Edinburgh East and Musselburgh) (Lab):** I welcome the minister's statement and, in particular, the emphasis that she placed on the early years. Does she agree that it is vital for the emphasis to move from the review to the implementation of change? How does she intend to put the necessary energy, pace and momentum into the process of change, not just within the Executive, but nationally and locally, throughout all the agencies and individuals that have an interest? Specifically, does she intend to publish an implementation plan and timeframe for the vital action and investment that she outlined today?

**Patricia Ferguson:** I thank Susan Deacon for welcoming the statement. She is absolutely right and I agree entirely about where our focus needs to be. The early years are vital, because habits are formed even before one gets to primary school. It is important that young children at nursery school are given as much exposure to the arts and culture as is possible and sensible at their age.

In the document, I give a rough idea of the milestones that we envisage as we make the policy a reality. I hope that that information will be helpful. Obviously, we have already been working behind the scenes on our implementation plan. As I said earlier, we intend to move quickly. We have in place a range of meetings with various

organisations that will be affected by the policy and we will ensure that we make the handover and the changeovers as quick and painless as possible. However, we will not rush, because we do not want to miss important points and important elements of what we are trying to do along the way. We will move as quickly as we can, but we will try to follow a rational path.

**Alex Neil (Central Scotland) (SNP):** I welcome the minister's statement and in particular the additional resources that will be made available, but I say to her that there is a heavy emphasis on additional funding for institutions. We need to consider more direct funding of individuals to allow their talents to flower. That might involve, for example, complementing the work of the Dewar arts awards to help young people who, for financial reasons, need to go furth of Scotland for ballet training and so on.

**Patricia Ferguson:** I emphasise that we see the development of cultural talent as being part of an escalator approach, and we will try to ensure along the way that we put in place as many safeguards for people as we can. I am encouraged by the work of the Dewar arts awards in providing instruments and additional educational help to young people with talent, but we will see whether we can supplement that with a range of bursaries that might also be worth while. We see both those elements as part of a package of measures. We already have the creative Scotland awards, which are welcomed in the artistic world, and Mr Neil probably knows that I am keen that we should recognise the outstanding contribution of our artists over a long period. We hope that there will be such markers throughout the development of an artist's experience and talent.

**Jackie Baillie (Dumbarton) (Lab):** The minister will be aware of my interest in industrial museums, and in particular in the Scottish Maritime Museum with the Denny tank in Dumbarton. Would the minister care to amplify her comment that industrial museums will receive increased funding? Is that likely to include access to capital and to curatorial expertise, and will it ensure that there are stable streams of revenue support going to industrial museums with items of international significance, so that they are secured for the long term?

**Patricia Ferguson:** We are well aware that there is a range of local museums and facilities that house items and collections of national—sometimes even international—significance. That is why, working with the Scottish Museums Council, we have developed the national significance scheme. We hope to have that scheme rolled out during 2006, and it will be through that scheme that bodies such as the Scottish Maritime Museum will be able to apply for

funding, and I am sure that funding will be granted if they meet the appropriate criteria. That will be done flexibly, and we will consider the needs of those organisations and the applications that they make.

**Alex Fergusson (Galloway and Upper Nithsdale) (Con):** Like Jackie Baillie, I am interested in the minister's reference to increased funding for industrial museums. Will that allow an expansion of the institutions that fall into that category, to include institutions such as the unique Museum of Lead Mining at Wanlockhead in my constituency, which currently receives no central funding, despite its historic, educational and national importance?

**Patricia Ferguson:** As I have said in response to previous questions, I cannot get dragged into the specifics of whether or not a particular institution would qualify, but it would obviously be open to that organisation to apply for funding from our national significance scheme. If it qualified for that funding, it would receive it.

**Rob Gibson (Highlands and Islands) (SNP):** I point out that I am a member of the Musicians Union.

The minister's remarks about UNESCO are important because UNESCO recognises the things that are indigenous to a country. Does she believe that the indigenous arts and contemporary music of Scotland have moved up the priority list? As far as I can see, national company status is a model that is suitable for certain arts, but may not be suitable for others. How can indigenous arts and contemporary music get top priority and how can we get more investment in them?

**Patricia Ferguson:** I am aware of Mr Gibson's interest in those endeavours. In fact, I have shared one or two experiences of listening to them with him in the recent past. Creative Scotland's remit will include support for nationally important arts bodies that meet minimum standards and the development of national standards across all art forms. I see the function of creative Scotland as being about nurturing and developing the very organisations and art forms that Mr Gibson has mentioned.

**Cathy Peattie (Falkirk East) (Lab):** I have loads of questions, but I will ask just one. I welcome the statement, the new money and the move to mainstream arts funding in the Scottish budget. I am also interested in cultural rights, and at the moment there is a hierarchy of funding for the arts. How does the minister feel that today's announcement will help to nurture and promote Scottish traditional arts—song, music, dance and language—at local, national and international level?

**Patricia Ferguson:** As I said to Mr Gibson, we envisage creative Scotland having the key role in

ensuring that such art forms are supported. However, it is also important to say that the escalator approach that I outlined is very much about developing individuals with talent from their pre-school years through school and further education until they start their careers. As I said to another member, we will consider a system of scholarships and bursaries to assist the transition from FE to higher education and into employment—perhaps self-employment—and will build on existing ideas and schemes. It is important to recognise that the idea of rights and entitlements means that there will be much more demand at local level for access to such art forms and I hope that, in the longer term, that will help to support the artists and people who want to pursue those art forms.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** To be on the safe side, I remind members of my entry in the register of members' interests. I serve as a director of Grey Coast Theatre and am a trustee of both Tain Guildry Trust and Tain Museum Trust.

My question for the minister is simple. How can she ensure that an individual—whether they are a child or an old person—who lives in a remote part of Scotland such as Durness in my constituency will have the same access to the arts as someone who lives in a conurbation in the central belt?

**Patricia Ferguson:** That is a very good question. I have said that I understand the difficulty that is often experienced by people who do not live close to a museum, a gallery or a theatre and who want to access such provision. What is important is that the cultural planning elements of the proposals that I have outlined should happen at the most local level and that local communities themselves should make suggestions and demands about their rights and entitlements so that they can access the kinds of art forms that they wish to. Some people's requests might well be met by the availability of one of our national collections in digitised form, or they might wish to seek assistance with travel so that they could go a little further afield to access their preferred art form. We must be flexible in considering a range of locally driven ways of meeting communities' rights and entitlements.

**John Swinburne (Central Scotland) (SSCUP):** I congratulate the minister on the excellent proposals that she has put before Parliament today and I wish her well on their implementation.

Does she agree that it is logistically impossible for everyone to get access to all the arts that are available in Scotland today? Down at Rozelle House in Ayr, there is a magnificent collection of murals by Goudie on "Tam o' Shanter". Would it not be a good idea to put images of those murals on to a disk along with a voiceover of the bard's

tremendous words and to send that out to schools, libraries and other organisations? That would help to deal with Jamie Stone's point about access in remote areas.

**Patricia Ferguson:** Mr Swinburne is right. The point that I made to Jamie Stone was that access might sometimes have to be provided through digitisation. Digitisation is a highly useful tool because it allows us all to access examples of artistic excellence from all over the world. If we were to go down the route that Mr Swinburne suggests—I have a sneaking suspicion that what he proposes may already have been done, but I could be wrong—I hope that we would not restrict availability to people in Scotland, but would export that wonderful creativity around the world as an example of the great things that we have in Scotland.

**Maureen Macmillan (Highlands and Islands)**

**(Lab):** My question follows on from what Rob Gibson and Cathy Peattie asked about. The minister mentioned the possibility of bodies other than the present national companies aspiring to become national companies. Does she envisage that that possibility could be extended to the traditional sector so that the national fiddle orchestra or the national Gaelic choir might be established, or will national company status be reserved for the high arts?

**Patricia Ferguson:** No, not at all. I meant that we could have national performing arts companies in any sphere and for any art form. Given some of the fiddle music that I have heard in recent times, what Maureen Macmillan describes cannot be that far off. Obviously, we expect any body that aspires to that status and to being funded in that way to reach the very highest levels of artistic endeavour. They will also have to meet the criteria that we will put in place.

**Mr John Swinney (North Tayside) (SNP):** The minister's objectives are to achieve excellence and access for all. Will she reassure Parliament about how the local authorities can deliver their part of the bargain, as there is so much pressure on their funds and so many of the major cultural opportunities in Scotland rest on so many theatres and arts venues around the country, such as the Pitlochry Festival Theatre in my constituency, with which the minister is familiar and in which she takes a great interest? How can that support be delivered by local authorities that are under constant budget pressure?

**Patricia Ferguson:** Obviously, we will work with the local authorities to assist them in this important endeavour. It will be important for local communities to identify to their local authority, in the way that I outlined earlier, the kind of experience that they want. It may be that that would be provided by a theatre or gallery, but it

may also be gained through more local means, such as the opportunity to participate in a community performance. The cultural rights and entitlements that we are putting in place will mean greater opportunities for the local authorities to work with the Executive to achieve that kind of outcome.

Again, I do not want to talk specifics. I am well aware of the difficulties at Pitlochry Festival Theatre and that Mr Swinney has been trying to assist it. In the longer term, I believe that what we have outlined today will be a better way forward for some of our theatres and venues around the country.

We must be creative in how we take forward these rights and entitlements. The local authorities will want to find out what works. One of the things that the Executive will do is help to fund the pilot scheme that is being undertaken as part of the year of Highland culture in 2007, part of the planning for which is to give particular entitlements to young people. We will see what works before either rolling out those entitlements across Scotland or suggesting to the local authorities around Scotland that they take them up. We will pilot some things and see how they go.

I hope that the strategy that we are putting in place means that people around Scotland will have greater access to all that is excellent about our arts.

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

I take the minister back to the theme of outreach. I note what she said in her statement about museum funding. Does that take us any closer to the point at which Executive funding may be made available to support projects such as my proposal for the declaration of Arbroath to be shown again in the town where it was originally drafted some 686 years ago?

**Patricia Ferguson:** It was inevitable that we would get bids from the airts and pairts, as they say, but I do not want to be that specific. Obviously, if the local community were to identify that as a priority, the local authority might want to consider the proposal. I encourage Mr Johnstone not to wait for anything new to happen. He should try to explore existing mechanisms to see whether his project could become a reality rather more quickly than he envisages at the moment.

**Mr Brian Monteith (Mid Scotland and Fife)**

**(Ind):** The Executive's cultural policy has had the gestation of an elephant—certainly, it is just as weighty. Fortunately, today's statement shows that it has some saving graces. Given that some of our performing arts companies call themselves "Scottish" and that criteria will be applied in the decisions that will be taken on the new national companies, will the regional companies that aspire

to become companies of national status be able to do so when there remain companies that call themselves "Scottish" but are not yet national?

**Patricia Ferguson:** The criteria that we will put in place will be about the quality that a company will have to aspire to and achieve in order to be called "national". We want those companies to be truly national. In addition, they will have to participate in educational and outreach work. Any company that manages to meet the criteria that we will set down could, after negotiation, be considered as part of our national companies. However, we would have to take a serious, hard look at any organisation that aspired to join that elite band.

**Mrs Nanette Milne (North East Scotland) (Con):** I should declare that I am a friend of the Royal Scottish National Orchestra.

Does the minister's statement mean that Aberdeen will see the return of the regular performances there by Scottish Opera, which were greatly enjoyed and are hugely missed by north-east audiences? Is there any likelihood of an earlier return to Aberdeen than the current date?

**Patricia Ferguson:** I understand the frustration that has arisen because Scottish Opera has not been able to tour main-scale opera to Aberdeen and Inverness in the past year or so and is in fact unlikely to be able to do so before 2007. I hope that everyone will appreciate the need for Scottish Opera to stick to its stabilisation plan and balance its books in future.

The transfer of support for Scottish Opera from the Scottish Arts Council to the Executive will involve an increase in funding in return for minimum standards of performance, touring, education outreach and governance—all the things that I outlined to Mr Monteith. I hope that in future we will see Scottish Opera appearing again, magnificently, in Aberdeen and Inverness.

**Lord James Douglas-Hamilton (Lothians) (Con):** Will the minister consider sympathetically the ambitious, exciting and forward-looking proposals of the National Museums of Scotland for reinventing themselves? Their plans will increase access enormously for countless persons, even if they involve phasing over a considerable number of years.

**Patricia Ferguson:** I presume that Lord James is talking about the master plan that has been developed for the museums. We welcome the heritage lottery fund stage 1 approval of £16 million funding for the £45 million redevelopment of the Royal Museum. We have already funded a £9 million project of improvements at the museum and linked developments at the Museum of Scotland storage site at Granton. We have also awarded a development grant of £800,000 to

match the heritage lottery fund's development funding. We are scrutinising the option appraisals for the project with a view to seeing whether we would be able to contribute further.

**Robin Harper (Lothians) (Green):** In Scottish schools there are roughly 600 sports co-ordinators and 60 cultural co-ordinators. Will the minister consult the Minister for Education and Young People, who is sitting in front of me, on the possibility of increasing the number of cultural co-ordinators in Scotland's schools?

**Patricia Ferguson:** Mr Peacock and I have had long and detailed discussions on that and a number of other issues connected with my statement today. It is important to stress that we value the work that is being done by the active schools co-ordinators and the cultural co-ordinators in our schools. They make an extremely valuable contribution where they operate. Our desire is to have them embedded in the school structure and to see them working with dynamic teachers to ensure that we have a team approach to the kind of developmental work that we want to happen in schools. We are involved in discussions on that and are committed to it for the short and long term.

**The Deputy Presiding Officer:** I thank all members for the brevity of their questions, and the minister for the conciseness of her answers. That has enabled me to call everyone who was on my screen. The only remaining item is that Mr Ballance has asked members to accept his apology for omitting to mention his entry in the register of members' interests when he asked his question. I am sure that members will be pleased that he has now drawn that to their attention.



## Business Motion

15:54

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

The next item of business is consideration of business motion S2M-3836, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill. Given that Margaret Curran is not in the chamber, I invite Bill Aitken to move the motion.

*Motion moved,*

That the Parliament agrees that, during Stage 3 of the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated (that time limit being calculated from when the Stage begins and excluding any periods when other business is under consideration or when the meeting of the Parliament is suspended, other than a suspension following the first division in the Stage being called, or otherwise not in progress):

Groups 1 and 2 – 25 minutes.—[*Bill Aitken.*]

*Motion agreed to.*

## Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill: Stage 3

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

We come to the stage 3 proceedings on the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill. I will start with the usual announcements about the procedure that will be followed. We will deal with the amendments to the bill and then move to the debate on the motion to pass the bill. Members will appreciate that, for those purposes, they should have before them the bill as amended at stage 2, the marshalled list, which contains all the amendments that have been selected for debate, and the groupings.

The division bell will sound and proceedings will be suspended for five minutes for the first division this afternoon. The voting period for the first division will be 30 seconds. Thereafter, there will be a voting period of one minute for the first division after a debate.

### Section 3—Conduct of inspections

**The Deputy Presiding Officer:** Group 1 relates to the creation of offences for misuse of confidential information. Amendment 1, in the name of Lord James Douglas-Hamilton, is the only amendment in the group.

**Lord James Douglas-Hamilton (Lothians) (Con):** Amendment 1 would make the improper use of confidential medical information an offence punishable, on summary conviction, by a fine not exceeding level 4 on the standard scale.

In his communication to the committee, the minister stated:

“we consider that disciplinary action by employers and professional bodies provide sufficient sanction in the unlikely event of any such misuse of information gathered during an inspection.”

He also said:

“I would reiterate our view that professional codes of practice and the sanction of disciplinary action are sufficient to enforce the provisions in our amendment regarding the use of information obtained for the purposes of an inspection.”

However, the minister's response does not render redundant the case for the amendment. We are all well aware that the British Medical Association and local doctors are seriously concerned in case confidential medical information should slip out inadvertently into the public domain. As it is the season of Robert Burns, I am tempted to say:

"The best laid schemes o' Mice an' Men  
Gang aft agley".

The purpose of my amendment is to reassure the medical profession that these matters are not being dealt with lightly and that improper and unauthorised use of medical information will be taken seriously.

I am well aware that the minister says that an offending individual can be sacked on the spot. However, I believe that, in the words of Sir Winston Churchill,

"There is more error than malice in human affairs"

and that it is not beyond the bounds of possibility that excessive workloads could inadvertently lead to unintended effects. Furthermore, the offence would be a much lesser sanction than sacking, as it would involve only a fine of up to £2,000.

Even so, bearing in mind that we are aware of no breaches of confidentiality by Her Majesty's inspectors on any occasion, I recognise that this provision might well never have to be relied on. If so, that will be an altogether satisfactory state of affairs. However, amendment 1 would still serve as an extremely valuable signal to Scotland's medical profession that, in the sensitive area of medical confidentiality, every effort will be made to maintain the highest standards.

I move amendment 1.

**Iain Smith (North East Fife) (LD):** As Lord James Douglas-Hamilton highlighted, the confidentiality of medical records was one of the major issues that the committee grappled with throughout the passage of the bill. The key changes that we made at stage 2 related to making it explicit in the bill that confidential information must remain confidential for the purposes for which it was gathered. Section 3(1A), which contains that change, is sufficient to deal with the concerns that have been raised by the medical profession, to which Lord James Douglas-Hamilton referred. I do not think there is any need to go further than to say to someone who is employed as an inspector in one of our inspectorates that, if they breach the provision, they will have contravened an act of Parliament. That should ensure that the appropriate disciplinary action is taken. In some cases, the breach will be viewed as gross misconduct, leading to instant dismissal. If the breach were inadvertent, as Lord James Douglas-Hamilton suggested that it might be, the sanction that would be imposed by the employers would probably be more lenient.

The amendment that was agreed to at stage 2, in line with the intention of the Parliament, is sufficient to ensure confidentiality and to reassure the medical profession.

16:00

**Fiona Hyslop (Lothians) (SNP):** I support amendment 1, in the name of Lord James Douglas-Hamilton. I supported it by signing the original amendment. As other members have said, the issue of confidentiality has been key in the debate on the bill, which is fast-track legislation. We should respect the views and concerns of the medical profession, especially on the issue of confidentiality. I thank the minister for paying close attention to the concerns that were raised by the Parliament at stage 1 and in the amendments that were lodged at stage 2, and for introducing the issue of confidentiality into the bill. Had we not had the pressure of scrutiny of the bill by members of all parties, I do not think that the duty of confidentiality would necessarily have been included; it was not in the bill originally.

If there is a breach of that confidentiality, should it be dealt with through internal disciplinary processes, or do we recognise that, because of its serious import, some form of judicial response—in this case, a fine—should be signalled? The concerns of the medical profession are sufficient for us to say that we do not think that breach of confidentiality should be dealt with internally in an employment situation. We recognise those concerns and we want to send out a clear signal that any breach of confidentiality carries a social penalty and will be met with a judicial response.

We have come some distance, but the provision for fines would go a great deal further towards reassuring the medical profession that we respect issues of confidentiality. We want to ensure that the bill contains a clear signal that breach of confidentiality will be disciplined not through internal employment measures, but through judicial response. As Lord James Douglas-Hamilton said, such a response would be required only rarely. I think that it is the responsibility of the Parliament to give that reassurance to the medical profession.

**Dr Elaine Murray (Dumfries) (Lab):** As other members have said, the issue of confidentiality was much discussed by the committee as a matter of concern. As a result, the Executive lodged an amendment at stage 2 to take on board some of the concerns that were discussed.

If we go as far as Lord James Douglas-Hamilton and Fiona Hyslop wish us to go, we will make the inspectorate subject to a series of penalties to which no other inspectorate is subject. No other inspection agency in Scotland is subject to the offence of a breach of confidentiality; I question why we should have to introduce that offence for this specific group of inspectors.

Some members of the medical profession do not share the British Medical Association's concerns.

The BMA has particular concerns that were not echoed by paediatricians, for example.

Finally, why should we consider breaches of confidence in relation to medical records as different from breaches of confidence in relation to social work records? Social work records may contain information that could be more damaging to the individual concerned than their medical records.

**The Deputy Minister for Education and Young People (Robert Brown):** I am not at all persuaded by the case that has been put to Parliament this afternoon by Lord James Douglas-Hamilton and Fiona Hyslop. The Executive is fully aware of the importance of confidentiality in the bill and in the manoeuvrings that take place in support of the inspection process. From the beginning of the bill process, we have been cautious and concerned to look at that in considerable detail, and we have been assisted by the work of the committee in that regard.

There seems to be a fairly weak case for hauling a series of inspectors before our overworked courts in order to fine them for what Lord James Douglas-Hamilton describes as inadvertent overwork. I am not impressed by the logical reasoning behind that, especially concerning the inadvertence aspect. Frankly, inadvertence—as I am sure Lord James Douglas-Hamilton will know—is not a basis for any kind of criminal offence in this matter. I am all for sending signals, but I am not for sending signals by way of fining people. That does not seem to be the way in which to do it, unless there is a cause made beyond that.

I think that we should be guided by the underlying message of the Education Committee's stage 1 report, with which the Executive fully agreed. Although there was no fundamental disagreement with the principles of the bill, the report identified a need to provide reassurance among a range of interests—not just medics, but social workers and others—that the confidentiality of children and their families would be safeguarded. The report recognised that there is a need to build confidence and understanding in the joint inspection process. Working with the committee, we have built in a number of measures to provide that reassurance.

Most important, we have introduced in the bill a duty of confidentiality, which has been mentioned. A new duty will not be introduced, as the duty already existed, but the duty has been declared in the bill, which is important. The duty will require all members of the joint inspection team not to disclose confidential information, although there are some prescribed exceptions.

That duty of confidentiality will be of great benefit, but I fail to see how the introduction of the

offence in question would add any further value. No other inspectorate in Scotland is subject to such a provision; indeed, those same inspectors would not be subject to any such offence when they were acting in a single inspection. The Executive does not know of any example of a breach of confidentiality by any of Scotland's inspectorates or regulatory bodies. Why would we want to legislate for an eventuality that has never occurred? In the law-making process, the Parliament has always considered the mischief that it is trying to mend and asked whether that mischief is based on fact and reality. If it is, we will do something; if it is not, we should not legislate.

The Education Committee noted in its stage 1 report that only limited provision exists for such offences in England and Wales. The Health and Social Care (Community Health and Standards) Act 2003 provides for offences, but only in relation to confidential personal health information that has been obtained by the Commission for Healthcare Audit and Inspection, which is interesting. We are talking about a minor exchange in that regard. We are not in the business of creating unnecessary criminal offences.

The draft code of practice for the joint inspection of child protection services, with the duty of confidentiality, as recommended by the Education Committee, will address in detail how confidential information will be handled in full compliance with the Data Protection Act 1998 and the European convention on human rights. The draft code was circulated last week to all members of the Education Committee and it will be issued again externally by the end of January. Again, as a result of helpful discussion with the committee, the bill as amended at stage 2 will require the joint inspection team to have official and formal regard to the code.

Elaine Murray made a good point about whether there is something different about medical records. Medical records are important and there has always been concern about them, but, to be honest, social work records also contain substantial and important personal information. No distinction can be made in real terms between the different sorts of record in our approach to the bill.

I am confident that the requirements in the bill, with the joint inspection team's professional codes and the individual contracts of employment that Lord James Douglas-Hamilton rightly talked about, will provide sufficient sanction in the unlikely event of any misuse of confidential information that is gathered during an inspection.

I hope that what I have said and our having gone over the issue for the *Official Report* will satisfy Lord James Douglas-Hamilton. I urge him to seek to withdraw amendment 1.

**Christine Grahame (South of Scotland) (SNP):** On a point of order, Presiding Officer. I thought that I was having a senior moment, but I am glad to say that I have not been having one. The bill, as introduced, is available for members, but there are no copies of the bill as amended at stage 2, which makes things difficult for members. I wonder whether those bills could be replaced.

**The Deputy Presiding Officer (Trish Godman):** I will attend to that and get the right bills sent to the back of the chamber.

**Lord James Douglas-Hamilton:** I thank the minister for his conciliatory reply. However, we think that a signal should be given to reassure the medical profession, and therefore I will press amendment 1.

**The Deputy Presiding Officer:** The question is, that amendment 1 be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division. I suspend the meeting for five minutes to allow members to get to the chamber. There will then be a 30-second voting period.

16:08

*Meeting suspended.*

16:13

*On resuming—*

**The Deputy Presiding Officer:** We will now proceed with the 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)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 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)  
 Fox, Colin (Lothians) (SSP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)

McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Neil, Alex (Central Scotland) (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)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 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, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, 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)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

**The Deputy Presiding Officer:** The result of the division is: For 40, Against 65, Abstentions 1.

*Amendment 1 disagreed to.*

#### After section 8

16:15

**The Deputy Presiding Officer:** Group 2 is on reports on operation and implementation of the act. Amendment 2, in the name of Lord James Douglas-Hamilton, is the only amendment in the group.

**Lord James Douglas-Hamilton:** During the bill's committee stages, the Deputy Minister for Education and Young People acknowledged that the legislation would be reviewed. In his recent letter of January 2006, he wrote:

"I stated at Stage Two that we will conduct a further review of the legislation and the Code ... I cannot yet provide details of the timescales but it will be before the planned pilot children's services joint inspections currently scheduled for 2007."

Those commitments will give some reassurance to the medical profession. However, in view of the bill's accelerated timescale, it would be appropriate for reviews to take place on the same cycle as that of the parliamentary budget process, just in case anything unforeseen should emerge. An example of an unforeseen happening is the possibility that changes might be made to ministerial portfolios, as those have been known to arise from time to time.

Although the present ministers are committed to reviewing the legislation, how do we know that other ministers in the future would be ready to honour that commitment if the legislation places no obligation on them to do so? Of course, it will be suggested that our present ministers would always act reasonably, but what will happen if future ministers wished to dispense with the need for a review? Cannot we put in place a safeguard to prevent such a thing from happening? I believe that we can do so by agreeing to the amendment. I call on the minister to accept this reasonable request.

I move amendment 2.

**Fiona Hyslop:** I think that Lord James Douglas-Hamilton was offering faint praise for the deputy minister. I understand Lord James's argument, although he used precisely the same reasoning during previous stages to suggest that the bill should have a sunset clause.

Child protection cuts to the heart of many serious concerns that have been raised over the past few weeks, especially the issue of sex offenders teaching in schools. Although that issue arose down south—I am not saying that sex offenders have taught in Scottish schools—the issues surrounding the list of those who are disqualified from working with children is pertinent to the debate. We have yet to hear a ministerial statement on that from Peter Peacock—I would like to hear his statement sooner rather than later—but it looks likely that the Parliament will need to review the content of the Protection of Children (Scotland) Act 2003 in the context of improving child protection. Therefore, the Parliament is already being required to review legislation on child protection regularly and as a matter of course.

We should bear in mind the fact that the Education Committee was concerned about the Executive's implementation of child protection services generally. In 2004, the committee published a report that criticised—and, where appropriate, commended—action that was being taken on child protection. The Parliament has a good track record on identifying and reviewing such legislation.

I understand the argument that Lord James has made, but I believe that amendment 2 would set the wrong precedent. I will be extremely surprised if the Executive and Parliament do not review the legislation, as I expect that a review of the Protection of Children (Scotland) Act 2003 will be undertaken as part of the minister's planned new legislation, of which he will inform the Parliament at some point. On that basis, the Scottish National Party will not support amendment 2.

**Iain Smith:** I, too, will not support amendment 2. Ministers have given adequate assurances that the legislation will be reviewed in good time before the general inspections of children's services start in 2008. Ministers have stated that, if issues arise from those joint inspections of child protection services, they will be addressed as urgently as is required to ensure that the problems are sorted out. For that reason, I see no need for a statutory basis for a three-year review. Indeed, a statutory requirement that a review be conducted every three years might cause delay if the Executive found that it required to introduce changes more quickly.

**Dr Murray:** I, too, will not support amendment 2. The Conservatives have a bit of a fashion for

sunset clauses, which they have previously tried to suggest should be introduced. I see no reason why a requirement should be placed on the face of the bill that the legislation be reviewed every three years in perpetuity, given that that does not happen with other pieces of legislation.

I was intrigued by Lord James's reference to evil future ministers. I just wonder what sort of alliance he foresees happening in the Parliament in the future.

**Robert Brown:** I thank Lord James Douglas-Hamilton for moving amendment 2, because it allows us to reiterate the fact that the Executive and the committee have approached this matter with great care. I am not sure whether the member has inside information about either my future or that of the Minister for Education and Young People. I would be interested to talk to him about that afterwards.

The bottom line is that the committee's stage 1 report and subsequent consideration suggested that a review of the legislation and the code of practice would be useful. We agree. As Iain Smith pointed out, our proposal is more radical than the amendment, because we want to move much more quickly to review the legislation than three years after the implementation of the act.

I have proposed to the committee that there should be a review of the legislation and of the code in advance of the pilot joint inspections of children's services, which are scheduled for 2007. We would want to take into account the operation and early findings of the joint inspection of child protection services, which will be under way as soon as the legislation is commenced and from which we will learn quite a lot. I also want to include in the review the results of the consultation on the principles and methodology of the joint inspection of wider children's services, which began last October. A major conference is planned for April and detailed work on the methodology and code of practice for wider children's services will last over the course of the year. In a sense, an on-going review is taking place.

We need to give further consideration to the timing of a more formal review. However, as I have said, it will be before the planned 2007 pilots. It is also intended that the committee should be involved in the review, rather than just that ministers should report to the Parliament, as the amendment suggests. That is essential and echoes the way in which we have operated with committees on a number of other bills.

I hope that Lord James Douglas-Hamilton will accept my assurances as sufficient and satisfactory and that he will seek leave to withdraw his amendment.

**Lord James Douglas-Hamilton:** In view of the very strong and reassuring commitment that the minister has given and his willingness to consult the Education Committee at all necessary stages, it is unnecessary for me to press the amendment.

*Amendment 2, by agreement, withdrawn.*

## Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill

**The Deputy Presiding Officer (Trish Godman):** The next item of business is a debate on motion S2M-3783, in the name of Peter Peacock, that the Parliament agrees that the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill be passed.

16:22

**The Minister for Education and Young People (Peter Peacock):** I thank members of the Scottish Parliament, especially members of the Education Committee, for the thoughtful and considered way in which they have dealt with the proposals that we have brought forward through the bill. I thank the committee clerks and the staff of the Education Department for the hard work that they have done, and I thank in particular Robert Brown for piloting the bill through stage 2.

The Education Committee's report, the evidence that was received by the committee and the results of the widespread consultation on the proposals for joint inspection demonstrated overwhelming support for the principle of joint inspection and the contribution that it can make to the continuous and sustained improvement of children's services. The bill is important, so we are very grateful for all parties' agreeing to consider its provisions on an accelerated timescale and for their co-operation in doing so.

From the outset, we recognised the importance of ensuring that the bill was short and tightly focused on providing the joint inspection team with the legal powers to do its job. For the purposes of joint inspection of child protection services, the joint inspection team needs to evaluate whether local services are working together to keep children safe and protected. The bill enables a joint inspection team to work together to use real-life case studies to assess, from the perspective of the child, whether or not an area's child protection services have protected children adequately. That would not be possible without the bill. Although we wanted to keep the bill short, the amendments that have been agreed to, partly as a result of consideration by the Education Committee, will enhance the bill's provisions considerably.

I want to highlight two important areas. First, in its stage 1 report the committee recommended that we place a requirement on the joint inspection team to have regard to a code of practice that would be published by Scottish ministers. We had already drafted a protocol setting out how a joint inspection would be conducted, but the committee considered that that should be given statutory

authority. Members felt that the code of practice would help to provide reassurance on how the principle of seeking consent will be applied in line with the purpose of inspections, and on the arrangements for maintaining the confidentiality of individual records. I agree with the committee that the code will help to build confidence and understanding into the joint inspection process. We have circulated a draft code of practice on the joint inspection of child protection services to Education Committee members. Next week, it will be reissued to all relevant external interests and finalised in time for the act's commencement.

**Karen Gillon (Clydesdale) (Lab):** The minister will be aware of concerns that general practitioners in my constituency have expressed about safeguards for young people, particularly young women, who seek advice on sexual health. Will he consider whether such concerns could best be addressed either through the guidance or through the code of practice in order to ensure that we do not, at the same time as we introduce the new child protection measures, discourage people from seeking appropriate advice from their GPs?

**Peter Peacock:** Karen Gillon's intervention is timely; I am just about to set out how we will approach that matter and I acknowledge the concerns that she has highlighted. The Education Committee carefully considered the matter and has accepted our reassurances about how we want to handle it.

Quite separately, an additional code of practice will be developed as part of the consultation on the introduction of joint inspection of wider children's services. I do not expect the code to differ substantially from its current draft, apart from one important exception that will address Karen Gillon's point: it will now set out how consent will be achieved in line with the particular services to be inspected, and it will address the question whether the code should be applied differently to reflect the ages and stages of development of the children involved.

In his response to amendment 2, Robert Brown stated that the legislation and the code will be reviewed. I will return to the Education Committee, which will be involved in the review, to give members further details and timescales. I assure all members that that review will take place before the planned pilot joint inspections of children's services, which are at the moment planned for 2007.

We have also worked hard with the committee to provide reassurance on the important issue of confidentiality. There has been no disagreement over the central thrust of the joint inspection methodology, but in order to ensure that robust information is held on children's experiences, the joint inspection team must have access to

children's individual records. There is widespread recognition that all the inspectorates and regulatory bodies have an impeccable track record in maintaining the confidentiality of personal records. We do not know of any complaint that confidentiality has been breached; in any case, members of the organisations are bound by their contracts of employment and by professional codes. Nevertheless, we agreed fully with the committee's view that additional reassurance would be helpful.

Because it is important to reinforce the commitment that we all share to ensure that personal information is not disclosed inappropriately, we introduced at stage 2 a duty of confidentiality to reinforce the requirement on members of the joint inspection team not to disclose confidential personal information. That amendment, together with the professional codes of conduct and contracts of employment, should reassure everyone who is concerned that inspectors take confidentiality seriously and that a robust framework to handle confidential information will be in place. There is no doubt that confidentiality is fundamental to everyone who has an interest in children's services.

At stage 2, Ken Macintosh emphasised that, in child protection matters, it is best to share information no matter what a person's professional obligations might be. The bill provides a framework that clarifies the circumstances in which that can be done and sets out how information can be shared in compliance with the Data Protection Act 1998 and with requirements under the European convention on human rights.

Other useful points have been made in the debate. I will ask the joint inspection team to ensure that those points are reflected in the development of the joint inspection regime. For example, I know that Robert Brown has had a useful discussion with Rosemary Byrne about a particular issue involving Communities Scotland and that, at stage 2, Scott Barrie highlighted the importance of taking on board children's views.

Despite the challenging timescales, we have developed a bill that will enable the joint inspection of child protection services to proceed within the next month or so, and which will give inspectorates the powers to develop and deliver a robust joint inspection process to support the ongoing improvement of child protection services.

The bill provides those powers hand in hand with reassurances that are necessary to build confidence in the process among all the relevant professionals and, crucially, among children and their families.

I move,

That the Parliament agrees that the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill be passed.

16:29

**Fiona Hyslop (Lothians) (SNP):** I rise to support the motion. The Scottish National Party has agreed from the outset to co-operate with ministers to ensure that, although the bill would be given proper scrutiny, it would be fast-tracked to allow joint inspections to continue. There is no more serious issue than child protection and, in recent weeks, society's views with regard to the risks to children have become clear.

We know from statistics that, unfortunately, children who are most at risk are often at risk from people whom they know, such as family members. It is sad that in the heat and light of the headlines, attention is given to stranger danger and the bureaucracy of lists that do not necessarily guarantee protection when, at the end of the day, children are attacked by people and not by bureaucracy or the lack of it. We can ensure that the state, in all its forms, whether at national and parliamentary level or at council level, puts its operations in order so that we can be proactive in ensuring that children are protected. That is why I strongly support joint inspections.

Interestingly, some of the controversy surrounding the differences between the legislation in Scotland and that in England has been played out in recent weeks. As part of the scrutiny of the legislation, it has been interesting to see the differences between joint inspections in Scotland and those in England. By the time the legislation is complete, the concentration on child protection in Scotland should lead to a more robust system of child protection and investigation of services than exists in England.

In its original child protection inquiry report, the Education Committee expressed concerns about the timescale for the implementation of certain protection measures, not the least of which is inspection. We are therefore keen to get implementation back on track. I refer the minister to one issue of concern. There are things that prevent the state in all its forms from supporting children—sometimes it is lack of resources, sometimes it is lack of people and sometimes it is lack of leadership.

I have a concern to raise with the minister and I hope that he will take action on it by bringing it to the attention of the inspectorates. It is to do with the City of Edinburgh Council, which has in recent weeks made clear its response to the Social Work Inspection Agency's inquiry in the Western Isles. That inquiry was pertinent to the bill. From the sad case of Caleb Ness and the recommendations of the O'Brien report, members will remember that



the key issue was not necessarily a lack of social workers, but a lack of bureaucratic back-up through secretarial support. In its response to the inquiry, the City of Edinburgh Council said that the change to existing practice—the exchange of records—will

“be difficult to implement in Edinburgh, given the current inadequacy of the administration support for child-protection work, in terms of the typing of case notes, filing and photocopying.”

The “typing of case notes” means the typing of current case notes. I would be appalled if there was vulnerability in the exchange of information and communication between agencies because of a lack of secretarial support for child protection cases. In the light of that, and in the light of the experiences that we have had in Edinburgh, I ask the minister to consider asking the joint inspection team to look at the City of Edinburgh Council first when the inspections get back on track.

I return to the bill. The Education Committee made good progress and its scrutiny achieved the duty of confidentiality that is now contained in the bill. The Parliament is sometimes at its best when there is co-operation between ministers and members of the Opposition; the bill is another example in which that has worked to good effect. I say to the minister in good spirit that I hope that any future child protection legislation will be treated in the same way. I therefore invite him to make an early statement to Parliament and to other interested parties about his plans for future legislation resulting from the Bichard inquiry and recent events.

I draw particular attention to the protocols. Karen Gillon made a point about young women seeking sex advice from doctors. There is an issue about there being different protocols. On that, too, we made advances, and the minister knows that I pressed the issue. There will be separate protocols for child protection and for children’s services, which will allay some of the fears and concerns that we have heard from the medical profession.

Joint inspections and child protection itself will operate only if the all the players co-operate proactively and not defensively just because an act says that they must. That is the spirit of the bill, so I am pleased that we have come so far. The jury is out on how successful the legislation will be, as it will always be in child protection cases, but I am pleased to give the SNP’s support to the bill.

16:34

**Lord James Douglas-Hamilton (Lothians) (Con):** I must thank parliamentary colleagues, ministers and the clerks for the positive and constructive way they have dealt with an

extremely sensitive subject in which misunderstanding could have arisen had not immense care and understanding been used.

I believe that Parliament is discharging its duties fairly and objectively in relation to achieving the most appropriate balance between the protection of at-risk children and the retention of medical confidentiality. The protection of at-risk children is paramount and I am grateful for the opportunity to contribute a few words on the matter.

We all accept that it is our inescapable duty to protect children and, in this context, at-risk children in particular. In carrying out this commitment, we have had to accept a degree of urgency in introducing the legislation in order to ensure that no children are left with insecure systems in place for the joint inspection of child protection services. Nonetheless, the bill’s compressed timescale introduces the possibility that unforeseen or unintended consequences could arise. I am therefore grateful to the minister for his renewed commitment to conduct a review.

I should also mention that members of the medical profession have expressed concern that not all their members are aware of the bill. The British Medical Association said that doctors may feel that the bill takes a confrontational approach to accessing records. For example, inspectors will be able to enter general practitioners’ surgeries and demand access to patient records. If access is refused, the GP could be found guilty of committing an offence. If GPs are not made aware of the legislation’s details, they could seek to protect the confidentiality of their patients from inspectors. We therefore welcome the minister’s assurance that appropriate targeted information for health practitioners on joint inspections of children’s services and data sharing and confidentiality will be discussed with representative health bodies. I ask the minister to include the BMA in particular in such discussions, with a view to ensuring that the legislation can be applied effectively with a light touch.

In addition, there is what I might describe as the Karen Gillon point. It has been made clear to me that doctors have substantial concerns that, unless robust safeguards are in place to ensure that patient anonymity is preserved, the relationship of trust between patients and doctors could be damaged and possibly undermined. I might have wished for a further safeguard in the bill, but I will certainly support the bill, along with my colleagues, because I believe that any teething troubles in the application of the legislation will be picked up in the review and that corrective action can be introduced, if necessary.

It appears that I was the only MSP who had the temerity to lodge stage 3 amendments to the bill, but even though they were not agreed to, we are

able to support the bill with a thoroughly clear conscience, safe in the certain knowledge that there will be a review, which could be of assistance to the medical profession, and recognising that great efforts have been made to put appropriate safeguards in place.

16:38

**Iain Smith (North East Fife) (LD):** This is the first bill that I have had the privilege of being able to take through as convener of a committee, being convener of the Education Committee. I hope that other bills go through with such smoothness.

The work of the committee and members' co-operation in ensuring the passage of this important bill and, indeed, the support and co-operation of the Scottish Executive and ministers in ensuring that the concerns that were expressed by the Education Committee were addressed are an example of the Parliament's committee system working at its best. We showed that the Scottish Parliament's legislative process can be effective and that it can respond speedily and thoroughly to issues without there being a diminution of the necessary scrutiny of legislation. I record my thanks to the members of the Education Committee and, of course, to the committee clerks for the work that they have done throughout the bill's progress.

Although we had a truncated stage 1, I do not think that we were anything other than thorough. Stage 1 highlighted the need for the legislation to ensure that effective joint inspections of child protection were put in place quickly. Recent events south of the border have highlighted again how important that is. Time and again, child protection inquiries have highlighted failures in communication between agencies as being a significant factor in the failings in such cases. One such case that happened recently in Tayport in my constituency involved the sad death of Karen Dewar, who was murdered. Social work services and the police seemed to fail to communicate effectively in the circumstances that led to that unfortunate incident almost a year ago.

It is important that agencies and people such as the police, social work, schools, health visitors and GPs work together to ensure that they develop effective and co-ordinated child protection plans along with the integrated children's services plans that they are required to produce.

It must be stressed again that the purpose of the bill is not to second-guess the judgments of professionals, but to ensure that systems are in place and working effectively to ensure the protection of children.

It is essential that the inspections of child protection services get under way now, which is

why the committee agreed to fast track the bill. We expressed several concerns at stage 1, particularly in relation to the confidentiality of medical information, which has been the focus of the stage 1 debate and today's debate. The medical profession and organisations that represent children's interests are understandably concerned that children should have assurances and absolute confidence that, when they seek medical advice, both the advice and the fact that they have sought it will be kept confidential. The Executive's amendments to the bill at stage 2 and the protocols and guidance that will be produced will help to ensure that confidentiality is maintained. *[Interruption.]* Sorry—it was on vibrate, but never mind.

**The Deputy Minister for Justice (Hugh Henry):** Too much information. *[Laughter.]*

**Iain Smith:** Indeed. I apologise to members for that noise.

Measures will be put in place to ensure that records are inspected only for the purposes for which they are required, that anonymisation—"anonymisation" is a very difficult word to say and I did not say it right—of the records takes place, and that the records are destroyed a year after the report is produced. It will be almost impossible, a year after the event, to trace back the individual records that were used.

Another important point is that only people who were on the child protection register in the previous year will be the subject of child protection inspections. It is important to bear it in mind that the inspections will not go back years and years and that people will not have issues dragged out of the past that are no longer relevant in their lives. The purpose of child protection legislation is to ensure that children are protected from harm. I urge ministers to ensure that, if evidence emerges that children are putting themselves at risk of harm by not seeking appropriate medical advice because, as Karen Gillon suggested, of fear that the advice will not be treated confidentially, they will produce appropriate amendments to the act, the guidance or the protocols—whichever is most important—to address the concerns.

Finally, it is important that consultation of the Education Committee and children take place before and during the review of the legislation and before the general joint inspections begin in 2007-08.

16:42

**Eleanor Scott (Highlands and Islands) (Green):** I, too, support the bill. I thank the Education Committee, which greatly improved the bill at stage 2. I also thank the Executive, for responding positively to suggestions that were

made, and the minister, for responding to concerns that I and other members raised during stage 1.

I have two concerns, which relate to confidentiality and consent. In a sense, the child protection part of the inspections is probably the least controversial part, because we accept the need for inspectors to see whether agencies are working together to protect children. The children who are involved will already have had their confidentiality breached, for the one reason that overrides patient confidentiality, and information will have been shared between the agencies. As far as child protection goes, we just have to get on with that process. I am glad that the bill will make it possible for the professions to work together.

I approve of the extension of the bill to cover other children's services, but the BMA has called on the Scottish ministers

"to give a firm commitment that the process for inspection of children's services will include a requirement to seek explicit consent before allowing access to confidential medical records."

That point should be taken on board because confidentiality might be breached not in the child's interests, but in the interests of service provision. That is a slightly different issue, so consent should be explicit rather than implied.

I welcome the bill, as do my former colleagues in community paediatrics, because it will allow them to get on with what they want to do.

16:44

**Ms Rosemary Byrne (South of Scotland) (SSP):** I support the bill. The Education Committee, of which I am a member, has done a great deal of work to get the bill into its present form. A number of issues remain, but we must thank the minister for listening and intervening as much as he did in trying to sort out the issues that the committee raised.

During the progress of the bill through stages 1 and 2, a number of issues were raised regarding the sharing with non-medical people of confidential records without informed consent. We have heard a lot about that and the BMA believes that it could put a strain on patient-doctor relationships. During stage 2, the deputy minister Robert Brown made a commitment to a separate protocol for inspection of children's services. That is to be welcomed, but the BMA continues to express concern and is unable to support the bill. I therefore ask the minister to continue to participate in a dialogue with the BMA and to monitor the situation closely.

I thank the deputy minister for his assurances regarding my concerns about children and young people who live with drug and alcohol misusing

parents, and I hope that we can be assured that issues about children in homeless families will be taken into account. It is important that we scrutinise what our local authorities are doing with the protocols and how they are joining up services. It would do no harm to write to them to ask how they join up social services, homelessness teams, schools, education and so on. I am assured that joint inspections can consider those areas if there is a need to do so.

There is no room for complacency—if in the future there are gaps that we can point to, we should seek to do that as much as we can. The bill is a wide piece of legislation to protect children. I welcome it, but I hope that we can keep an eye on the situation as it progresses.

**The Deputy Presiding Officer:** Before I move to the wind-up speeches, to ensure that I can call everyone who wishes to speak I have taken a minute off everyone except Lord James Douglas-Hamilton, who had only a minute anyway.

16:46

**Dr Elaine Murray (Dumfries) (Lab):** Labour's manifesto in 2003 stated:

"The measure of the society we are building will be the quality of the protection it offers our children."

When three-year-old Kennedy McFarlane of Dumfries was murdered in 2000, the subsequent inquiry revealed a serious lack of communication between the different agencies that should have been involved in her protection. Despite the concerns of her playschool, reports—by health visitors and her general practitioner—about injuries and admissions to hospital, she was killed before a case conference could be convened. The bill is part of the solution that will prevent such tragedies from happening in the future.

Original advice to ministers was that joint inspections could be achieved only by administrative means. However, the minister said in his evidence to the Education Committee on 26 May 2004 that if there was a need to legislate, the Executive would take the powers to do so. The three pilots that were run last year have proved that such legislation is necessary. As we have heard, the BMA has concerns about the sharing of information that is contained in young people's records. However, such information can already be shared if it is required for the purposes of protecting an individual child or young person. Indeed, Morgan Jamieson of the Scottish Executive's Health Department advised the committee on 23 November last year:

"If the records of a family member were pertinent to a child's safety, that circumstance would override the confidentiality duty towards other family members as well."—[*Official Report, Education Committee, 23 November 2005; c 2805.*]

I should mention the view of other professionals, for example Dr Hammond of the Royal College of Paediatrics and Child Health, who stated:

“My colleagues and I feel that to inspect services properly we have to have a 360° look round.”

She also said that

“the tracking of the chronology of events from the raising of the first concerns about the child right through to successful protection—we hope—or unsuccessful protection is critical in allowing us to identify where things went wrong or went well so that we can improve our services. Without joint consideration, we will not be able to do that.”—[*Official Report, Education Committee*, 23 November 2005; c 2808.]

There have been more general concerns about the sharing of such information during the inspections of children’s services in general, rather than the forthcoming child protection inspections. The committee heard evidence from the chief executive of the Scottish Commission for the Regulation of Care, Jacquie Roberts, that

“there are children who are not in the child protection system but who need to be. Unless we consider services in the round, we will not find out about such children and whether the systems in children’s services generally are in place to identify effectively the children who are at risk.”—[*Official Report, Education Committee*, 23 November 2005; c 2819.]

Sadly, children such as Kennedy McFarlane and Caleb Ness will continue to require protection. The passing of the bill will enable the provision of systems to ensure that we can effectively identify children who are at risk. The legislation will assure people that systems are in place in each local authority area and that they are joined up throughout Scotland. We need to be able to do that to ensure the much-needed protection of vulnerable children and young people. I am pleased to support the legislation.

16:50

**Lord James Douglas-Hamilton:** Elaine Murray rightly reminded us of the immense and solemn importance of the subject. Thanks are due to the Education Committee clerks, who helped us to progress important legislation in record time. I am also grateful to the Deputy Minister for Education and Young People and his officials, who acted in a spirit of co-operation.

Many important points have been made today about issues of concern. My appeal to the minister is that there be scope to adjust the draft protocols in the light of consultation as well as to adjust the legislation after a review, in due course. Sir Winston Churchill used to say:

“It is a mistake to try to look too far ahead. The chain of destiny can only be grasped one link at a time.”

I support the bill because it is one link in the chain of destiny of our nation’s children, who are our destiny.

16:51

**Christine Grahame (South of Scotland) (SNP):** I commend the social workers in Scotland, who have a difficult and often thankless task and provide a delicate service in difficult situations. The Joint Inspection of Children’s Services and Inspection of Social Work Services (Scotland) Bill is not an attack on that service; rather, it aims to be supportive and constructive by helping people to share data. Before, data were there but the situation was like a jigsaw—information was available on Caleb Ness, on Kennedy McFarlane and, in my constituency, on Miss X, but it was not shared.

The bill is a huge step forward. When services cross-reference and share information, children who are at risk can be identified and tracked and, perhaps more important, children who were not previously considered to be at risk can be discovered. Notwithstanding the fact that the bill’s progress has been accelerated, there is agreement throughout Parliament that it is important. It is better to have the bill than not to have it, but the fact that it has been accelerated means that the codes of practice and protocols are even more significant. As I understand it, there will be separate codes or protocols for child protection and children’s services.

On confidentiality, it is difficult to strike the right balance between the rights of the child, the rights of third parties and the interests of the child. It will not be easy to achieve that balance and there may well be legal challenges when the codes and protocols are in place. However, taking on those challenges will be worth while if the bill protects a single child in Scotland from experiencing an horrific life that ends with an horrific death. The building in of disciplinary measures for breaches of confidentiality reinforces the significance of confidentiality. As the minister rightly said, staff are bound by their contractual obligations and employment obligations. That should provide a robust framework and a comfort to third parties who feel that their rights might be infringed.

Implied consent is also a delicate matter but, subject to the protocols, I welcome the provisions in the bill. The people who do not want us to find out about children’s records are the very people we should not have to ask. I appreciate that there might be difficulties about ages because in the bill “child” means a person under the age of 18. We have a conflict in Scotland because people can get married at 16, so there might be difficulties involving 16-year-olds and implied consent. However, I am sure that the minister will address that with the Education Committee and Parliament through the protocols.

Finally, I will mention the issue of vulnerable adults, which I dealt with in the Miss X case in the

Borders all those years ago. I welcome the powers for social work inspectors to investigate and so on, but given that we are now familiar with the term “elder abuse”—we never thought that we would be—and that some vulnerable adults are like children, I would like the minister to provide for those people the same protection that we hope to provide for Scotland’s children. I hope that the minister will consider putting in place protocols to protect vulnerable adults and elderly people.

The bill is a worthy piece of work. As is always the case with legislation, the devil will be in the detail—that is, in the codes of practice and the protocols. As I said, I suspect that there will be legal challenges, but so be it. It is better to pass the bill and to put Scotland on the front foot in protecting its children. Abuse often takes place in the child’s own home. As my colleague Fiona Hyslop said, the abuser is often not the stranger in the dark but the person at home, the neighbour or the friend of the family. The bill will provide support to Scotland’s children. We commend it.

16:54

**The Deputy Minister for Education and Young People (Robert Brown):** This has been an excellent debate and I thank members of the Parliament and of the Education Committee for their support throughout what has been a fairly difficult process.

I begin by responding positively to Fiona Hyslop’s suggestion that matters of child protection should be dealt with broadly on a cross-party basis. That is entirely right and is what ministers have tried to do with the bill. I hope that that co-operation will continue as we move forward.

From the outset, the Education Committee has expressed full support for the principles of the bill, and its recommendations and amendments were intended to provide reassurance and to build confidence in the joint inspection process. The bill is now more robust and provides the framework for a strengthened joint inspection process.

I will respond to those who have made observations on the bill, and particularly to the British Medical Association’s comments. There will, of course, be an on-going dialogue with all the interest groups involved, and with the BMA in particular.

We are especially concerned about sexual health issues that may affect young people, as Karen Gillon and other members said during the debate. We must consider the matter further as part of the consultation that we will be conducting on the joint inspection of wider children’s services, and that is the proper way to do it. We have a little more time to do that, without the rush that there

might have been on the protocol for child protection services, and we certainly intend to involve all parties in finding the right way forward, taking account of issues such as the differing ages of those involved.

**Christine Grahame:** Will the minister consider putting protocols in place for vulnerable adults?

**Robert Brown:** That is a different issue. A bill on vulnerable adults will be introduced in due course, as Christine Grahame is aware, and that is the proper place for that debate.

We can now look forward. Joint inspection will help all those concerned with improving children’s services to develop a shared understanding of what good-quality children’s services should look like, including the collaborative working arrangements that are necessary for the delivery of continuous and sustained improvements for children. The focus of the discussions on the bill has been the conduct of joint inspections but, as Iain Smith, Fiona Hyslop and Elaine Murray said, there is a much bigger issue behind the bill, arising out of the tragic circumstances of one or two individual situations. We must remember that we have not introduced the bill because we consider inspection to be an end in itself; the value of joint inspection is the contribution that it can make to improving outcomes for individual children and for children’s services generally.

There can be no doubt about the determination of the Executive or the Parliament, or about our joint long-standing commitment to supporting improvement. We all share a common goal of improving services for all children, and we want every child to fulfil their potential and to be provided with every opportunity to succeed. Some—too many over the years—have slipped through the net. Too many are not getting good enough services to support their needs and to ensure that they thrive, and that is what the bill is all about.

Fundamental change to improve outcomes for all Scotland’s children is at the heart of the Executive’s priorities. The Cabinet delivery group for children and young people, which is chaired by Peter Peacock, has identified where fundamental change is required. Joint inspection and the improvement of services is one of five distinct, but closely related, areas of cross-cutting work that we have identified, and progress is under way for all of those strands to ensure that children are safe, nurtured, healthy, achieving, included, active, respected and responsible.

Joint inspection is part of our work to introduce co-ordinated arrangements for the quality assurance of services for children. In parallel with preparations for the joint inspection of children’s services, which will be piloted in 2007, we want to

see in place in every children's services organisation arrangements to assess and improve the quality of services across organisational boundaries. We want quality improvement systems for every children's services organisation, systems for scrutiny and inspection, and transparent and accountable reporting arrangements.

A key point is the joint inspection of child protection services, as Fiona Hyslop said, to which we have paid specific attention in Scotland, ahead of the rest of the work programme. I want to make clear to Parliament why, within children's services, we have made that our priority. Fiona Hyslop was right to point out that, amidst all the furore that we have seen in recent days, particularly in England, it is worth remembering that most abuse of children takes place in the home and involves family members or others in the family circle, and that much damage to children results from neglect or from parental addiction to drink or drugs, and that it can often be intergenerational. That is why the quality of the services that we provide to intervene and to support children is of paramount importance. That is why child protection had to be the first area of children's services to be inspected, and there was a commitment in the 2003 partnership agreement to that effect.

The reform programme is producing action on a variety of fronts to ensure that children are protected and kept safe. We published the children's charter and the framework for standards and have strengthened the role of the child protection committees. We are following through on the recommendations of the Bichard inquiry to ensure that we have a safer workforce and safer arrangements. In that regard, some of the issues that have emerged in recent days will be taken on board.

The joint inspection process will be innovative and we will learn lessons from it. The child's journey through the various services that they have received will be evaluated and when good practice is identified, it will be disseminated.

## Health Bill

17:00

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of motion S2M-3835, in the name of Lewis Macdonald, which is a legislative consent motion on the Health Bill, which is United Kingdom legislation.

*Motion moved,*

That the Parliament agrees that the UK Parliament should consider those provisions of the Health Bill, introduced in the House of Commons on 27 October 2005, which will legislate in devolved areas in respect of supervisory requirements on community pharmacists and recovery of NHS costs in cases of personal injury compensation, which will include the powers consequential on these amendments and which will alter the executive competence of the Scottish Ministers to enforce certain provisions in the Medicines Act, as laid out in LCM(S2) 1.1.—[*Lewis Macdonald.*]

**The Presiding Officer:** The question on the motion will be put at decision time.

## Decision Time

17:01

**The Presiding Officer (Mr George Reid):**

There are six questions to be put as a result of today's business. The first question is, that amendment S2M-3837.2, in the name of Fergus Ewing, which seeks to amend motion S2M-3837, in the name of Tavish Scott, on the air route development fund, 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)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Canavan, Dennis (Falkirk West) (Ind)  
 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)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central 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)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 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, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)

Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (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, Cathy (Carrick, Cumnock and Doon Valley) (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)  
 McMahan, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 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)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**ABSTENTIONS**

MacDonald, Margo (Lothians) (Ind)

**The Presiding Officer:** The result of the division is: For 35, Against 74, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S2M-3837.1, in the name of

Murdo Fraser, which seeks to amend motion S2M-3837, in the name of Tavish Scott, on the air route development fund, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brownlee, Derek (South of Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Mrs Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)

**AGAINST**

Adam, Brian (Aberdeen North) (SNP)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fox, Colin (Lothians) (SSP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)

Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 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)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 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)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 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 14, Against 94, Abstentions 2.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that amendment S2M-3837.3, in the name of Mark Ruskell, which seeks to amend motion S2M-3837, in the name of Tavish Scott, on the air route development fund, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.



**FOR**

Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)

**AGAINST**

Adam, Brian (Aberdeen North) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, 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)  
 Finnie, Ross (West of Scotland) (LD)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 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)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 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)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 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)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Wallace, Mr Jim (Orkney) (LD)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**ABSTENTIONS**

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 MacDonald, Margo (Lothians) (Ind)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

**The Presiding Officer:** The result of the division is: For 7, Against 97, Abstentions 7.

*Amendment disagreed to.*

**The Presiding Officer:** The fourth question is, that motion S2M-3837, in the name of Tavish Scott, on the air route development fund, 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)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)

Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West) (Ind)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, 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)  
 Finnie, Ross (West of Scotland) (LD)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 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)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 Maclean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 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)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)

Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 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)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Wallace, Mr Jim (Orkney) (LD)  
 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)  
 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 12, Abstentions 1.

#### *Motion agreed to.*

That the Parliament endorses the success of the Air Route Development Fund (ARDF) in bringing direct Scottish air links to Europe, North America and within the UK; notes the economic advantages that have flowed to the Scottish economy and the reduced need for short haul flights through hub airports; supports the development of a European regime that tackles the environmental impact of aviation emissions; further supports work to improve rail journey times between Scotland and London in order to reduce the reliance on domestic short haul flights, and looks to the further use of the ARDF in developing Scotland's international connections.

**The Presiding Officer:** The fifth question is, that motion S2M-3783, in the name of Peter Peacock, on the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill, be agreed to.

#### *Motion agreed to.*

That the Parliament agrees that the Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill be passed.

**The Presiding Officer:** The sixth and final question is, that motion S2M-3835, in the name of Lewis Macdonald, on the Health Bill, which is United Kingdom legislation, 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)  
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 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)  
 Finnie, Ross (West of Scotland) (LD)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Hyslop, Fiona (Lothians) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 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)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 May, Christine (Central Fife) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 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)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 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)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Wallace, Mr Jim (Orkney) (LD)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Canavan, Dennis (Falkirk West) (Ind)

**ABSTENTIONS**

Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Fox, Colin (Lothians) (SSP)  
 Kane, Rosie (Glasgow) (SSP)  
 Leckie, Carolyn (Central Scotland) (SSP)  
 Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 105, Against 1, Abstentions 5.

*Motion agreed to.*

That the Parliament agrees that the UK Parliament should consider those provisions of the Health Bill, introduced in the House of Commons on 27 October 2005, which will legislate in devolved areas in respect of supervisory requirements on community pharmacists and recovery of NHS costs in cases of personal injury compensation, which will include the powers consequential on these amendments and which will alter the executive competence of the Scottish Ministers to enforce certain provisions in the Medicines Act, as laid out in LCM(S2) 1.1.

## Communication Impairment

**The Deputy Presiding Officer (Trish Godman):** The final item of business is a members' business debate on motion S2M-3245, in the name of Nanette Milne, on communication impairment. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament notes that there are an estimated 250,000 people in Scotland who have communication impairment; recognises that communication impairment can affect every waking moment of a person's life and that those affected by communication impairment, by definition, are not easily able to speak up about their needs, and believes that the Scottish Executive should take immediate steps to support quality social action research in order to develop a comprehensive and coherent framework for action on communication impairment in Scotland.

17:09

**Mrs Nanette Milne (North East Scotland) (Con):** I have brought the motion before the Parliament on behalf of the short-life working group on communication impairment, or CI, as communication impairment is also known.

I am grateful for the significant cross-party support that the motion has received. I also acknowledge the drive and enthusiasm of Kim Hartley and her colleagues in the Royal College of Speech and Language Therapists, as they doggedly strive to improve life for all those who have communication support needs. Kim is in the public gallery along with some of her colleagues. With the permission of the Presiding Officer, I extend a warm welcome to them.

Many people in Scotland suffer from impaired communication; there are probably around a quarter of a million of them, although there are no accurate figures, because many have not been identified. If the estimated numbers are right, the average Scottish constituency will have about 3,000 affected people.

People with CI have difficulty understanding the spoken and/or the written word and/or other non-verbal means of communication. They find it hard to express themselves and to find the language to communicate in a meaningful, appropriate or socially acceptable way. Of course, that affects their ability to interact with other people.

The number of people with hearing and visual impairment and their needs are quite well known, but there are many more with communication support needs, which arise from a wide variety of medical and physical conditions, such as strokes, head injuries, motor neurone disease, multiple sclerosis and other neurological conditions, autistic spectrum disorder, dementia, mental

illness, cerebral palsy, stammering and some cancers. All those conditions and more can result in communication difficulties to a greater or lesser degree.

Sufferers often feel discriminated against. Service providers and others who do not understand their difficulties might react with anger or scorn, or might ignore them altogether. They find it difficult to ask for help and are sometimes looked on as being incapable. They face discrimination by employers, who often have no understanding of CI or how people can be supported to cope with it and who find it easier not to employ people with problems in the first place or to pass them over for promotion when they are employed. If an employee has a stroke that leaves even a mild speech impairment, it is often easier to write him off, rather than cope with his needs. As a result, many people with CI do not achieve their potential either in education or employment and have varying degrees of difficulty accessing and benefiting from services.

Most services are delivered through speech or the written word, including helplines and online services. Staff are not trained in alternative methods of communication and exclusion is the result for people who need them. There is a lack of awareness and understanding and little support is on offer, other than to those who are visually impaired or hard of hearing.

My encounter a couple of years ago with a constituent who has severe dyslexia first opened my eyes to the problems that people with CI experience. That man, who is now in his 40s, has had difficulty with communication for most of his life, but his condition went undiagnosed until seven years ago. Prior to that he found it hard to get employment and, as a result, experienced significant bouts of depression, which badly affected his lifestyle.

My constituent came to see me because of on-going problems in accessing public services because of his inability to read and write. Council, national health service and Government offices all tried to communicate with him by letter and he, in common with many people in the same boat, simply cannot cope with that. Only last week he spoke to the local press in Aberdeen to highlight his problems. Now a cancer patient, he missed a recent hospital check-up, because he could not read the reminder about his appointment. He lives alone and, naturally, does not want strangers to see his medical correspondence, but he says that his repeated requests for voice messages have been ignored.

Public bodies such as the national health service know that they have a duty under the Disability Discrimination Act 1995 to contact patients by alternative means if they are known to have

conditions such as dyslexia, but that message does not always get through to those who work with patients. Raising awareness among staff is an issue that needs to be addressed.

How can we help these people? Many resources are available to assist communication, but awareness and use of them is patchy. That must be improved. There is a need for good practice guidance on dealing with communication impairment for health, social care and other staff.

Although CI is common among all priority health care groups, there has been no attempt to generate a comprehensive, inclusive approach to identifying, prioritising or delivering the communication support that is needed.

The Scottish Executive has made significant financial investment in British Sign Language and English interpreters and, recently, in creating accessible general practitioner services for people with hearing difficulties, but there has been no investment in support or research for other groups with communication support needs.

Comprehensive research is needed to identify the number of people with CI and to find out from them what they regard as the priorities for change. There is a need for a Scotland-wide communication strategy to deliver appropriate support to everyone with impaired communication, so that they have the same opportunity as others to enjoy a good quality of life.

The CI action group presented a research proposal to the minister last August, which he welcomed enthusiastically before passing it on to the social research unit. However, five months later, there has been no response from the unit. I urge the minister to press the SRU for some concrete proposals regarding this important issue.

I hope that the debate will help to put CI on the map, will highlight the exclusion that is experienced by people who suffer from it and will lead to a better understanding of their needs.

Kim Hartley and her colleagues are doing their very best. The CI working group is giving what support it can. We now await the minister's response and look to him to ensure that the necessary research is supported in order to develop a proper strategy for action on communication impairment.

17:16

**Shona Robison (Dundee East) (SNP):** I congratulate Nanette Milne on securing this important debate and offer my apologies for the fact that I will not be able to stay until the end of it.

Nanette Milne has made a clear call for action. Usefully, the motion is specific in what it calls for. I

await with interest the response from the social research unit. I hope that it will come soon. Perhaps the minister will be able to shed some light on when we are likely to get that response.

I want to highlight a case that was brought to my attention recently. It concerns a young child with communication support needs. The child was due to start school but the parents and the school had concerns about the school's ability to provide the necessary support. The parents were concerned that the child was just not ready for school and needed more support, particularly speech therapy, before they started school.

Agreement was reached that the child would delay starting school for another year, to allow speech therapy to continue. However, when the parents sought continuation of the nursery place for a further year to allow the child's pre-school education to continue, it was denied and the child was left in limbo for that year, between pre-school education and school.

That case highlights the need for joined-up services in the pre-school and school systems. It also shows that there should be more flexibility if we are to meet the needs of children with communication support needs. Although there was agreement that going to school at that particular time would probably have been a negative experience for the child and the school, the parents were somewhat shocked that there was no back-up to ensure that the child's educational needs were met at an appropriate level.

The parents feel that the lack of support through the system—the child is a bit older now—has left the child with communication difficulties that they would not have had if the appropriate support had been in place through the school years. What is being done to ensure that such children have the support that they require?

I want to make a plea on behalf of speech therapists. They are still too thin on the ground. We do not have enough of them to ensure that people who require speech therapy get regular access to it. More must be done to address that shortage. I would be interested to hear what the minister has to say about that issue. If I miss the minister's response, I will read what he says in the *Official Report*.

17:19

**Eleanor Scott (Highlands and Islands) (Green):** I thank Nanette Milne for securing this debate. Members will be aware that a short-life working group has been considering this issue. I would like to thank all members who have shown an interest in that.

I, too, put on record my thanks to Kim Hartley and her colleagues for the support that they have offered us and the awareness raising that has been carried out, which highlights the need for research. I will come back to that if I have time.

We tend to think of communication impairment as a health issue, but it is much more than that. It impinges on every aspect of life and it is not just for the health service to make provision to help people who have communication impairment. To help members understand communication impairment, I will give a couple of examples from opposite ends of the spectrum. One is obvious, but it is something for which there is still underprovision; the other is perhaps less obvious.

My first example will be familiar to anybody who was at the cross-party group on mental health yesterday. We focused on mental health and deafness. We heard from the Scottish Council on Deafness and Deafblind Scotland that there is no dedicated mental health provision for deaf people in Scotland. The only dedicated service is provided on an outreach basis from the unit in Manchester, which may discontinue. There are no dedicated mental health officers in our social work departments who are themselves deaf or who have expertise in working with deaf people.

Being able to communicate directly—not through an interpreter or a family member—with the professional who is dealing with them, whether it be their general practitioner or a specialist, is crucial to deaf people with mental health problems. This is an area in which everybody understands the needs of deaf and deaf-blind people—they are quite obvious—but there is still underprovision.

For my second example, like other members, I will talk about a case from my own experience. It is a success story. In my days as a school doctor, I was involved in the case of a child whom I knew from the age of two right up to his teens, when I left that job. The child's intelligent and intuitive mother recognised when he was still at pre-school age that his communication was a bit different from other children's and had him referred for speech and language therapy. He was eventually diagnosed as having an autistic spectrum disorder, Asperger's syndrome.

Because the child was diagnosed before he went to school, extra support was put in place when he went to school. His primary school experience was characterised by a lot of support. When he was transferred to secondary school, the transition was handled successfully. He was phased in gradually and visited the school on in-service days, when there were no other pupils there, to familiarise himself with it.

In secondary school, there was an individually tailored programme of social education for him, in

recognition of the fact that learning at the pace at which his peer group learned would not do. A child on the autistic spectrum must have very targeted skills training, and that was done. When I last knew him, he was a well-adjusted and terrific boy who was very academically able. He had a concrete understanding of language. For example, he did not realise that when the teacher said, "It's time to put your books away," that meant, "Put your books away." He needed a direct command or instruction that was clear and explicit, rather than an inferred instruction.

If the child's condition had not been diagnosed so early, before he went to primary school, and if he had just sat there not putting his books away when the teacher said, "It's time to put your books away," he would have been seen as a disobedient child. Similarly, if he had not had a carefully managed transition to secondary school, he would have found it far too stressful. He would have failed in secondary education and he would have acquired the mental health problems that lots of young people with autistic spectrum disorders have. He would not have done nearly so well. At the age of eight, he had a reading age of 12, he was academically able and he had a terrific vocabulary. Anyone would have thought, "Where is the communication disorder?" unless they looked closely for it.

I bring that case up because we know that among our young offenders there is a high incidence of poor educational attainment in reading and writing. I wonder how many of those young people have additional communication disorders and how many of them have had speech and language therapy assessments. Whenever anybody in our society has a problem, we should think about communication issues, which go much wider than somebody having a stroke and losing their speech or people being deaf or deaf-blind. There are lots of much more subtle communication disorders—language disorders—that adversely affect people's lives.

I have given examples from opposite ends of the spectrum, but there are many more in between. Nanette Milne listed some of them, such as strokes and neurological diseases. They all give rise to the same problem. The ability to communicate with our fellows is, essentially, what makes us human, and the isolation that results from the loss of it is frightening. I therefore support the plea for research into this area to assess the extent of the problem and the unmet needs. These are people who, quite literally, do not have a voice.

17:25

**Mr Kenneth Macintosh (Eastwood) (Lab):** I ask everybody please to be patient. That is also the request that the British Stammering

Association makes. It applies when we speak to all people who have a communication impairment. Many of us hesitate before we speak, but simple, everyday conversations that people have to enter into to buy a newspaper or to ask for milk for their coffee or tea can become frustrating and difficult experiences for a person with a stammer.

I, too, thank Nanette Milne for lodging the motion and want to talk about the needs and experiences of people who stammer. Like Eleanor Scott, I thank colleagues from all parties and the individuals and organisations that are represented on the communication impairment working group for their efforts to date. Our targets are clear: we want to raise awareness of communication impairment and improve services. We hope to do so by mapping the needs of people with communication impairment throughout Scotland in order to inform a national strategy. I should add—as Nanette Milne did—that we have so far been encouraged by the minister's response. I hope that we hear more in a similar vein today.

I want to concentrate on stammering partly because I was privileged to attend an event yesterday at which the British Stammering Association—with Executive support—launched a series of CD-ROMs and associated materials that are to be distributed to all our schools. The event brought to my attention the extent of the difficulties that young people with stammers face in our schools. The event was encouraging—even inspirational—because the CD-ROMs contain the testimony of young people who believe that they cannot talk as well as their peers can, yet they talked about their experiences so vividly that they provided a lesson in communication. Their willingness to describe their feelings made the CD-ROMs memorable. I hope that they will be a good resource for our schools.

What has been their experience? Unfortunately, many young people experience isolation, loneliness, frustration and anger. The lack of understanding and knowledge of, and sympathy towards, stammerers among teachers as well as among pupils can be damaging to the self-confidence and self-esteem of the individual concerned.

Much still needs to be known about stammering. It has been estimated that it affects about 1 per cent of adults, but 5 per cent of children—some 59,000 people—in Scotland. It affects boys more than girls—the ratio is about four to one—but we do not know its exact cause. It affects people of all abilities, from all walks of life and from all cultures and social groups.

The huge variation in support that is available to stammerers in different schools, local authorities and health boards is perhaps the most worrying issue. Many of us have highlighted to the minister

our concern about the lack of speech and language therapists—there are acute shortages in some parts of the country—but it is worth pointing out that even in their disciplines, stammering is given a low priority.

Overlooking people who stammer is easy. In fact, I was told yesterday that individuals often go to great lengths to hide their stammer. The easiest way is not to talk. Because they have been overlooked, they have missed out in the allocation of resources—that is directly reflected in the number of specialist speech and language therapists who deal with stammering.

The British Stammering Association and others who work in communication impairment have done a lot in recent years to raise awareness about the needs of people who stammer, but there is no doubt that we could achieve a lot more if the minister and the Parliament took the lead in highlighting the issues that are involved. More support, greater understanding and specialist services are needed. In the meantime, the message to all members and to everybody who does not have a stammer is, "Please be patient."

17:29

**Ms Rosemary Byrne (South of Scotland) (SSP):** I thank Nanette Milne for initiating the debate, which is welcome.

We should think about the figure in the motion, which states:

"there are an estimated 250,000 people in Scotland who have communication impairment".

Research is needed to identify the number of people who are affected—we may find that that figure is not accurate. We also need to find out what those people think the priorities for change should be. We should consult in order to move forward.

A broad range of people are involved. Ken Macintosh rightly spoke about stammerers, but the range includes people with an autistic spectrum disorder, people who have had strokes, people with dyslexia and people with cerebral palsy. A strategy to deal comprehensively with that broad range is needed. We must ensure that we have enough speech and language therapists to provide the necessary services. They could act quickly for a stroke patient or identify the child with autistic spectrum disorder before they start school, so that a strategy that will make a difference for that child can be put in place. Key people who can identify who is in need, assess them and help with future planning must be available. Without that, the support is useless.

A communication strategy for Scotland is definitely the way forward. We must ensure that

everyone gets an equal opportunity. We should not have a postcode lottery that means that whether people have access to speech and language therapy and to the appropriate education depends on where they live. Most members have experience of recognising a situation that is wrong and asking how it can be put right. What is to be done with the hearing impaired child who is afraid of isolation and therefore adamant that he does not want to go to the mainstream school, even though its hearing impaired unit has a good reputation? He is afraid of isolation because he knows that none of the pupils will be able to communicate with him. Some of the teachers will be trained to communicate with him, but no child will be. How do we remedy that?

We need to speak to the people with communication impairments to find out what we can do and how we can work round the problem so that the child in my example feels happy going to the mainstream school. We want to ensure that the child does not have to go to court to be allowed to attend a school for the deaf. In a mainstream school, a child with autistic spectrum disorder may stand yards away from the other children in the playground. He is included because he is in such a school, but he is excluded in many other ways.

There is much to be done to train people to accept and understand the difficulties of communication impairment. I have said before that if fiscals and the police do not understand the difficulties people with an autistic spectrum disorder face, there may be more problems in the criminal justice system as a result. Eleanor Scott rightly pointed out that many young people need to have their problem identified and need support. I would like to say to Nanette Milne that the strategy in the briefing paper is excellent. I hope that the minister will respond positively to it.

17:33

**Robin Harper (Lothians) (Green):** I congratulate Nanette Milne on bringing the motion to the chamber. I also thank the cross-party group for its work, and I would like to make a slight apology for not so far making time to attend its meetings. I fully intend to go on a day when I am not doing something else, which is rare.

From my assessment of the problem and from what we have heard so far, it immediately struck me that there is a huge need for training at all levels. That is particularly true for public servants, including medical and educational professionals. It really struck home that there is a problem with discrimination. People with communication support needs are ignored, actively avoided, thrown out, insulted or put under pressure by impatient and angry service providers. If people look at the

problem from that perspective, they begin to see that it is not minor but extremely serious. There is therefore a real need for training for all public service providers.

I ask the minister to speculate on how on-going training could be provided and how advice and information could be given to public service providers using the facilities and money that we already have to hand, rather than say, "We cannot afford to do that at the moment".

I also ask the minister to point out that what we need is simply the application of existing legislation rather than the invention of new rules and regulations. Legislation on equality, human rights and disability should already be familiar to public service providers, but it is clear that many of them are unaware of how the requirements of such legislation affect them in their dealings with people with CSN.

As I said, there is a lack of awareness and understanding of what can and should be done to support people because of a lack of training and information. We lack co-ordinated, comprehensive, inclusive planning that covers everyone. Co-ordination and training are needed. All the problems have been outlined by the cross-party group and by the Royal College of Speech and Language Therapists. The big need is for training, although we also need more advocacy and assistance.

I was struck by the French research that suggested that 78 per cent of clients who were screened in a mental health unit suffered from some form of speech and language problem. Clearly, if that figure of nearly 80 per cent applies as a rule, we must ensure straight away that advice and assistance are given to all mental health service providers. By linking such providers with specialists who can assist people who have mental health issues to deal with their speech and language problems, we could assist about 80 per cent of all those who have a mental health problem. That is a very simple sum, so the Executive does not even need to carry out further research but could address the issue forthwith.

Training and education on communication impairment are also needed in prisons. There are many reasons why people in prison should receive far more help with education, but the research that has been brought to our attention suggests that many problems can be a result of communication impairment. More could be done through the education service in prisons to help prisoners, who may have a variety of communication problems that, at the moment, are not identified either before they enter prison or while they are in prison.

I thank the Presiding Officer for giving me this chance to speak and I congratulate Nanette Milne



once again on securing tonight's debate on her motion.

17:37

**Ms Sandra White (Glasgow) (SNP):** I apologise to Nanette Milne and everyone else that my mobile phone went off during her speech. That is one form of communication that we can all do without at times. I also congratulate her on securing the debate.

As Nanette Milne mentioned, an estimated 250,000 people in Scotland suffer from a communication impairment. I use the word "estimated" because, unlike deaf or deafblind people and people with hearing or visual impairments of other sorts for which figures are available, no accurate figures exist for people who need communication support. We desperately need the research that has been carried out to be taken further, as such information is essential for developing a framework to address the needs of people who have a communication impairment.

Communication impairments can affect anyone. People can develop a form of communication impairment—such as a stammer, which Ken Macintosh mentioned—after suffering head injuries in a car accident or after suffering a stroke. It is very sad that not enough support is provided to help such people.

Like Ken Macintosh, I want to raise the issues that affect people who have a stammer. We need only imagine what it would be like to be unable to communicate properly such that, in attempting to communicate, one became a laughing stock. That is the impression that people have of those who have a stammer and that is very sad indeed.

We perhaps need a policy whereby people are made more aware of certain types of communication problems. If we had that, people would perhaps not be ridiculed or become the butt of jokes in the way that we see happening all too often on television and in the media. The issue of communication impairment should be looked at rather than laughed at.

Basically, if we had more speech therapists for people with stammers and other forms of communication impairment, that would go a long way towards rectifying the problem. I hope that the minister will take on board the need for more speech and language therapists. If we started with people at an early age, we could do something to help them. Such help is sadly lacking, as has been mentioned time and again.

When people with a communication impairment access education and health services, they are sometimes looked on as being incompetent. However, as Eleanor Scott mentioned, the mental

health services that are provided in Scotland are not guaranteed to meet the needs of such people, especially those who are deaf or deafblind.

There is a petition before the Parliament that seeks some form of unit for deaf and deafblind people who have mental health problems. At the moment, some of those people get no help whatever when they have a mental health problem, whether they are in Aberdeen, Glasgow or anywhere else in Scotland, because there is no dedicated service for them. I hope that the minister will look into that.

The issue of employment has been mentioned. If someone with a communication impairment goes for a job, they are sometimes not given the job or given a lowly job. They are looked on as being less intelligent than others, but I am sure that if people were educated about their impairment that would satisfy the employer as well as other employees. We must address that issue.

Much has been said about the inquiry into how many people suffer from communication impairment. As Nanette Milne and others have mentioned, the social research unit has produced figures on that. It would be helpful to know from the minister when proposals will be brought forward. I know that the Executive has been considering them for five or six months. I plead again for more speech therapists and for language therapy services to be made available.

17:41

**Lord James Douglas-Hamilton (Lothians) (Con):** I congratulate Nanette Milne warmly on her motion and the recognition that she seeks for communication impairment. I also welcome the on-going work of the Equal Opportunities Committee in its disability inquiry and look forward to the publication of its report in May 2006.

Like Ken Macintosh, I would like to make relevant points about stammering. After all, Demosthenes, one of the greatest orators of all time, had a stammer. We are told that he got over it by practising with pebbles in his mouth. I would not for a moment suggest such treatment today, but it is suggested that it worked for him. I suspect that there may be other logical explanations.

Stammering affects a surprising 1 per cent of the adult population. Around 60,000 children, young people and adults in Scotland are affected by stammering, but many have not met anyone else who shares their experience. Specialist speech and language therapy services to meet their needs are, alas, far too limited. The sense of isolation that is commonly experienced by persons who stammer is compounded by the geography and population spread of Scotland. Many people who stammer try to avoid revealing their difficulty,

which can have a profound impact on whether they enter further education and on their social relationships and career choices. However, in many cases stammering can be and is completely resolved if it is treated during pre-school years. Early identification and referral to speech and language therapy are the key.

Since January 2004, the British Stammering Association Scotland has been effective in raising the profile of stammering and making a real difference to those who have this communication problem, which affected such great men as King George VI and Aesop, of Aesop's fables. The British Stammering Association offers support and promotes awareness of stammering. Its hard work is admirable.

I end with the words of one of my constituents—the chairman of the Edinburgh stammering support group—who summed up the hurdles that people with stammers face and the steps that we must take to address those problems. She wrote to me:

“People who stammer often face ignorance, teasing and stereotyping from the general public and in the entertainment media. We are commonly misunderstood or overlooked in education, by employers and by health service providers when allocating their resources. Skilled speech and language therapy services for people in Scotland who stammer are woefully inadequate. I support this call for research and the development of a communication strategy for Scotland that will benefit all people with communication impairments, including people who stammer like me.”

I, too, strongly support the call for research and the development of a communication strategy for Scotland.

I commend Nanette Milne most warmly for the excellent motion that she has lodged, which will be to the benefit of all those with communication support needs. We look forward very much to hearing from the minister, who we hope will give an extremely positive response.

17:44

**The Minister for Communities (Malcolm Chisholm):** I congratulate Nanette Milne on securing the debate and recognising the achievement of the Parliament's short-life working group on communication impairment and the communication impairment action group in bringing these issues to our attention. Like Mrs Milne, I pay tribute to their work and welcome their members to the chamber this evening. I acknowledge people's depth of feeling about the need to raise awareness of the full range of communication impairment issues and to increase support.

Nanette Milne has advanced the view that comprehensive research is required to achieve

those objectives. The Executive takes seriously the needs and experiences of all people in Scotland, including those with communication impairment, and we will undertake research in this area to help us to understand and to improve people's life experience. However, we should acknowledge that, although many people are comfortable with the term “communication impairment”, some prefer to use the wider phrase “communication support needs”, which recognises that, although people are sometimes able to communicate well, they might have difficulty because the right support is not available for them. The Executive is already delivering a range of measures to support people with communication support needs and to ensure that they are able to access services and have their voices heard. I will highlight some of those measures in response to points that have been raised this evening.

Shona Robison referred to children who have communication difficulties. As members know, the Education (Additional Support for Learning) (Scotland) Act 2004 establishes a statutory framework for meeting the needs of all pupils who require additional support for learning, regardless of the factors that have given rise to them. That legislation, which covers all forms of communication impairment, places duties on local authorities and national health service boards to meet those needs; however, I am aware of the situation to which Shona Robison referred and acknowledge that there is still much to do in that area.

The Executive also core funds the communication aids and language learning centre at the University of Edinburgh, which provides specialist expertise in technology for children who have speech and communication difficulties. More generally, two projects funded through the children, young people and families unified voluntary sector fund are relevant to the points that have been raised in the debate. In fact, Ken Macintosh mentioned the first of those projects, which was launched yesterday. The Executive awarded £145,000 to the British Stammering Association to issue CD-ROMs that will provide teachers in Scottish schools with a significant best practice and guidance resource for managing stammering in the classroom. Furthermore, in response to Nanette Milne's points on dyslexia, I should point out that an award has been made to the transition dyslexia project.

Eleanor Scott and Robin Harper both highlighted the issue of mental health and hearing impairment. Last year, the relevant guidance was reviewed to draw together key advice, guidance and considerations into a clear, unambiguous benchmark document for agencies to use in designing services for people with a sensory loss who also have a mental health problem. A short-

life group worked on the matter, and new guidance has recently been issued.

Before I deal with the issue of research, I will touch briefly on other Executive measures. We fund the operations of the Scottish sensory centre, which is a national organisation aimed at supporting those involved in the education of deaf and visually impaired children and young people.

As for stroke, which was mentioned by Nanette Milne and Rosemary Byrne, we are improving the organisation of stroke services through the development of managed clinical networks. If a communication impairment is identified, specialist assessment and treatment are available from speech and language therapists. Moreover, the Scottish advisory committee on stroke recently agreed to gather figures for aphasia. I know that campaigners on this issue have been concerned about the lack of information in that respect.

As far as learning disability is concerned, we are continuing to implement "The same as you?", which recommends a person-centred approach to meeting each individual's needs. Communication is fundamental in allowing that to happen.

Notwithstanding all that, we acknowledge that the current position lacks the strategic and comprehensive approach that the motion calls for and that we must understand the nature of communication support needs across all sectors. As Eleanor Scott and other members reminded us, that is an issue not just for the NHS. As the motion points out, communication impairment can impact on every waking moment of a person's life and affect their experience of the education system, the justice system, transport and employment. Research will help us to understand the full impact of the issues and develop a more comprehensive approach.

A key feature of the research that we will commission will be the inclusion of direct consultation with people who have communication support needs. That was one of the factors that attracted me to this proposal; it is something that I know about from other policy areas. From my experience in the health portfolio, I know that we are trying to get more and more involved in listening to the people who use the service and in learning from them to develop appropriate services. Rather than going through service providers or umbrella groups, we will want to ensure that we reach and involve people who have communication support needs—although some of those people might not be accessing services at present. Only by doing that will we be able to understand their experiences and needs. More generally, our strategic disability working group has already been considering how we can improve our consultation with those who are hard to reach. We are delighted that the communication

impairment action group has been participating in that working group and has been working with us to help us to develop a more inclusive approach to communication impairment.

Any new research will not stand in isolation because the Executive has already undertaken some research to examine some of the issues and experiences of people with communication support needs; there is an existing evidence base that goes well beyond that. Notwithstanding that, we want to broaden our understanding of the issues and ensure that we are able to identify and meet the needs of those with communication support needs across all areas of their lives. I have therefore asked my officials to develop a specification for research that will build on what we have already done and help us to develop a programme to tackle the very real needs that have been brought to our attention by the communication impairment action group.

Once again, I thank that group and the all-party group for the work that they have already done to raise awareness of this issue. I hope that the research will build on that and improve both awareness and the support that will, as a result, develop in due course. We will need to go out to tender for the research and we plan to do that in the near future.

*Meeting closed at 17:52.*



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

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

The deadline for corrections to this edition is:

**Thursday 26 January 2006**

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

*Single copies: £5.00*

*Meetings of the Parliament annual subscriptions: £350.00*

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

*Single copies: £3.75*

*Annual subscriptions: £150.00*

Standing orders will be accepted at Document Supply.

Published in Edinburgh by Astron and available from:

**Blackwell's Bookshop**  
53 South Bridge  
Edinburgh EH1 1YS  
0131 622 8222

**Blackwell's Bookshops:**  
243-244 High Holborn  
London WC1 7DZ  
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh

**Blackwell's Scottish Parliament Documentation**  
Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

**Telephone orders and inquiries**  
0131 622 8283 or  
0131 622 8258

**Fax orders**  
0131 557 8149

**E-mail orders**  
business.edinburgh@blackwell.co.uk

**Subscriptions & Standing Orders**  
business.edinburgh@blackwell.co.uk

**RNID Typetalk calls welcome on**  
18001 0131 348 5412  
Textphone 0845 270 0152

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

**Accredited Agents**  
(see Yellow Pages)

and through good booksellers

Printed in Scotland by Astron