

MEETING OF THE PARLIAMENT

Thursday 21 March 2002

Session 1

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Scottish Parliament

Thursday 21 March 2002

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

Transport Delivery Plan

The Deputy Presiding Officer (Mr George Reid): Good morning. The first item of business is a statement by Wendy Alexander on the transport delivery plan. As the minister will take questions at the end of her statement, there should be no interventions.

09:30

The Minister for Enterprise, Transport and Lifelong Learning (Ms Wendy Alexander): This morning I make a statement in Parliament on the Executive's much-anticipated transport delivery report, "Scotland's Transport: Delivering Improvements", which is currently being published. The purpose of the report is twofold. First, it sets out an impressive range and number of transport improvements—across Scotland and across all modes of transport—that have already been carried out. Secondly, it sets out the Executive-led transport vision for the future.

I begin by paying tribute to the achievements of my predecessor, Sarah Boyack, who began the efforts to create the public transport system that Scotland needs and deserves for 2021. Much has already been achieved in setting the new direction for Scottish transport policy, which is built on recognising the significance of public transport—a matter that was so whole-heartedly neglected in the 1980s and 1990s. In contrast, the Executive's transport priorities reflect our commitment to sustainable development and our obligations to future generations and to the proper stewardship of the environment.

Transport emissions generate nearly 25 per cent of the United Kingdom's greenhouse gases, so we are working in partnership with the UK Government to meet Kyoto targets and to reduce CO₂ emissions to 20 per cent below their 1990 levels, as outlined in the Scottish climate change programme.

Promoting high-quality, affordable public transport is vital to our determination to create a more sustainable Scotland. Our investment is already making a real difference to the quality and availability of public transport throughout Scotland. The number of bus journeys being made in Scotland increased in 1999 and 2000—the first increases since the 1970s. There have been

encouraging increases in the number of rail journeys. Passenger numbers on the Glasgow Queen Street to Edinburgh line are up by 45 per cent and passenger numbers on the Fife circle line are up by 25 per cent. We must now strive to build on these successes.

During the first three years of the Scottish Parliament, we have concentrated much of our effort on improving the rural public transport network—for example, through the rural transport fund—on supporting almost 500 projects across Scotland and on significant new investment in Caledonian MacBrayne, Highlands and Islands Airports Limited and the northern ferries routes. We will continue to provide that support, encouraging new proposals for local community transport—proposals that are even more focused on local needs. We will continue to maintain the lifeline air and sea links that are so vital to the economic and social well-being of Scotland's most remote communities.

Much has already been achieved, but today's report takes the next step and looks forward to provide a real vision for the future—a statement of vision, intent and direction that is every bit as fundamental as that laid out in the 1960s. In the 1960s, the Government in Scotland built a national consensus around a vision that was based on linking up Scotland's major towns and cities through a major trunk road and motorway building programme. The aim of that "main routes" strategy was to strengthen our internal links, shorten journey times and improve the competitiveness of the Scottish economy by improving access to our principal markets in the south and beyond.

Today, the principal transport challenge facing Scotland is quite different—road traffic congestion. Road traffic is predicted to grow by more than 27 per cent in the next two decades, yet in rural Scotland the car will remain a primary means of getting around. We have to dig below the surface of that bald statistic to find the central insight that shapes this vision for Scottish transport. Eighty per cent of that predicted rise in road traffic in Scotland will be concentrated in and around our four major cities, so tackling urban congestion is the overriding challenge in Scotland today. Urban congestion is hampering Scotland's economy and damaging our environment.

Dr Sylvia Jackson (Stirling) (Lab): Will the minister give way?

The Deputy Presiding Officer: Not during the statement please.

Ms Alexander: Congestion causes stress, increases emissions and reduces the quality of life for millions of Scots daily. Above all, it costs both time and money—costs that Scotland can ill afford.

In an age when changing patterns of work mean that Scots will increasingly be commuting further and longer to work, they need convenient travel choices. This cannot just be about city centre transport choices. Think of the modern workplaces of friends and family. More often than not, their final destinations are not urban centres but are spread throughout our major urban areas. Therefore, existing public transport systems, where they simply serve city centres, cannot cater effectively for the future pattern of demand. Yet, crucially, when convenient, safe and reliable public transport is available, people will use it.

Today we provide a new route map for Scotland—an Executive-led vision of the changes that we want to see to improve access to Glasgow, Edinburgh and Aberdeen and so deliver a transport system that is fit for the 21st century. Our aim is to stabilise road traffic levels at 2001 levels by 2021, by investing in an integrated package of specific measures that are designed to improve public transport and to create travel choices so that many more people can choose to leave the car at home. Nine of the top 10 transport priorities that are highlighted in the report are targeted at improving public transport.

I will describe our top 10 transport priorities. First, we will improve the rail infrastructure and the overall services to passengers by letting a new 15-year passenger rail franchise from April 2004. A long-term franchise can help us to deliver—in partnership with the operator—the strategic improvements that the Scottish rail network needs and that have already been identified in the Strategic Rail Authority's strategic plan. The whole journey experience must be made radically better so that passengers are treated like the valuable customers that they are. Trains should be reliable and clean and journey times should be predictable.

Secondly, we want to increase the overall capacity of the Scottish rail network through the redevelopment of Waverley station to provide more platforms. If that is not done, Waverley will shortly reach capacity, thereby limiting options for growing rail passenger numbers and our capacity to improve rail services throughout the network. In partnership with the Strategic Rail Authority, work on Waverley should begin in 2004.

Thirdly, we will develop rail links to Glasgow and Edinburgh airports, opening up direct access to the rail network for business, leisure and tourist travellers alike. By autumn we will have received a report and will be able to decide on progressing routes for development.

Fourthly, we want to create an effective and modern 21st century public transport system for Edinburgh, worthy of a capital city, in partnership with City of Edinburgh Council and private sector

partners through Entico. City of Edinburgh Council is doing preparatory work on a tramline for north Edinburgh and we have invited the council to seek further funding from the Executive for preparatory work on a west Edinburgh tramline.

Fifthly, we want to address the concerns of business and the wider community in and around Aberdeen by tackling Aberdeen's congestion before it reaches the proportions that are seen elsewhere. Earlier this week, when Lewis Macdonald and I were in Aberdeen, we announced more than £500,000 for the development and implementation of the north-east Scotland transport partnership's modern transport system and a further £600,000 for the development of Aberdeen's urban realm project.

Sixthly, we have to tackle congestion right across the centre of Scotland by delivering the top priority public transport projects flowing out of the A8, A80 and M74 corridor studies. We will take receipt of those studies by the summer and I will announce decisions on priorities and their delivery in the autumn. However, in advance of reaching a decision on the corridor studies, I can announce today £5 million for the expansion of park-and-ride facilities at Croy railway station. That new funding will enable the construction of a new 250-space car park, which will more than double the current capacity. Work on the car park will start immediately and construction will be completed in just over 12 months. That is one of the priority public transport projects that emerged from the initial findings of the A80 corridor study.

Seventhly, we will open up the Borders area by progressing the central Borders rail link. The next stage in the process is the lodging in Parliament of a private bill seeking permission to construct the railway. The timetable for that and for subsequent stages in the bill's progression will be at the discretion of the Parliament.

Eighthly, we will tackle social exclusion by delivering free off-peak bus travel from October 2002 for elderly people and people with a disability. Negotiations are under way with the aim of introducing those improvements on a voluntary basis by enhancing current schemes in operation throughout Scotland.

Ninthly, we will improve travel information by providing travellers with customised information through an improved traveline service. A further £1 million will be spent this year on more detailed information for travellers, internet access and the formal launch of the overall high-quality service in the summer. We will encourage local authorities to adopt through-ticketing arrangements on local buses.

Tenthly, we will examine urgently how vital missing motorway links on the A8 and A80 might

be completed. The central Scotland corridor studies are currently reviewing all possible options and we will announce our decisions in the autumn. However, it is clear that short-term action is required to address the most pressing problems on the key strategic corridors connecting Edinburgh to Glasgow and central Scotland to the north. I can announce that the Executive has committed an additional £20 million for a new junction at Auchenkilns on the A80 and junction improvements at Shawhead on the A8. Work on the design of both projects will start today.

That is the first announcement of spend on both those key roads since devolution—apart from money for routine maintenance. That is in addition to work that will begin on the Baillieston to Newhouse section of the A8 in early summer; we will be spending £25 million on the reconstruction of the A8 carriageway, the provision of hard shoulders and junction improvements along the route. The benefits from that work will be improved road safety, reduced congestion at junctions and better flow of traffic on the A8, especially at peak times.

The report does not purport to be the answer to all of Scotland's transport problems—it cannot be that. However, it clearly articulates what the Executive is striving to achieve and provides a vision for transport following more than two decades of underinvestment, which created a backlog of desirable projects. We have made significant progress in the past three years and that must continue.

The detailed sequencing of the 10 priority projects that the report highlights will be a key priority when decisions are taken in this year's spending review. The clarity in the report about what we are seeking to achieve creates an explicit agenda for partnership with other bodies, which is vital if we are to lever in the resources that are needed to deliver. By establishing a clear Executive-led vision for tackling congestion, it will be easier to work in partnership with others to deliver the transport system that Scotland deserves. Fundamental to achieving our vision will be working with local authorities and the voluntary regional transport partnerships—the west of Scotland transport partnership, the south-east Scotland transport partnership, the north-east Scotland transport partnership and the Highlands and Islands transport partnership—to improve local roads and bridges and tackle the growth in road traffic congestion.

We have achieved much since devolution, but many more transport improvements are needed if we are to have the transport system that Scotland deserves. Delivering the new vision will be a huge challenge, but today we are establishing clear priority projects that the Executive is committed to

making happen over the next decade and beyond.

The challenges are clear but the route map for the future is clear, as are our priorities. It is time for action and to commit to what we will tackle and when. The level of detail in the transport delivery report is essential if we are to achieve the transport system that Scotland deserves for the 21st century.

The Deputy Presiding Officer: The minister will now take questions on the issues raised in her statement. I will allow about 30 minutes for questions, after which we will move on to the next item of business.

Mr Kenny MacAskill (Lothians) (SNP): A new day has dawned, but it is not a new age for public transport in Scotland. Several questions arise from the report. It appears that we are long on rhetoric, but short on detail. The plan gives us yet more studies and reports—studies and reports on on-going studies and reports. By my calculations, more than half the 10 projects referred to by Wendy Alexander are dependent on the outcomes of current studies and new studies or on interaction with partners from whom we have heard nothing and have no guarantee that they will deliver what the minister wants.

I want to raise some specific points in regard to four critical areas: airport rail links; providing 21st century public transport in Edinburgh; Borders rail, which is so important in the south of Scotland; and the missing motorway links, which are so significant for vehicle traffic in Scotland. The report is considerably devoid of detail in those four areas and we have no "route map", as the minister called it. Can she answer three points relating to those four matters? First, when will building commence? Secondly, who will provide the funding? Thirdly, what funding mechanism will be used? If those three questions cannot be answered, I regret to say that the report will be not a route map but another example of the Executive being long on rhetoric and short on substance.

Ms Alexander: Would Kenny MacAskill clarify his third question?

Mr MacAskill: What mechanism of financing will be used?

Ms Alexander: I am happy to deal with those three questions for each of the proposals that Kenny MacAskill has mentioned—the airport rail links, the Edinburgh public transport system, Borders rail and missing motorway links. I judge that to be 12 questions and, if the Presiding Officer is happy to indulge me, I will be delighted to respond to them all.

I do not know of any previous Government—I will not say Scottish Executive, given that we are the first Scottish Executive—programme that

committed to 10 specific projects. Kenny MacAskill should reconsider his claim that we are short on detail, as we have been more specific than any Government ever.

I will deal with the earliest start date for each project and then I will outline who will provide the money. The first project is the airport rail links. The study report on Glasgow airport rail link is expected in autumn. We expect the project vehicle to be established in 2003 and the necessary bill to be lodged in 2004. There would be an opportunity to consider the issue in the parliamentary process in 2005. That would create the earliest opportunity for tendering in 2005. Planning permission would be necessary and that would be arranged in 2005-06. That would allow design and construction in 2006 and would create an earliest possible opening date of 2008. The timetable for the Edinburgh link is comparable.

The introduction of the bill in respect of the Borders rail link is at the discretion of the Parliament. It will be possible to introduce the bill at any time from 2003. Powers to construct will be given in 2003-04, procurement will take place in 2004-05, start on the site could happen any time after 2005 and the service will commence some time after 2008.

As Kenny MacAskill knows, planning is already under way for the tramline to the north of Edinburgh. We have invited City of Edinburgh Council to bring us plans for west Edinburgh in the next few months. After that, there will need to be planning permission, design and planning work, and we would expect to see the first elements of the light rapid transit scheme in place in 2004-05.

Building the missing road links depends on the recommendations that the multimodal study will make in the autumn. We have to consider the time it would take to get parliamentary permission, do the design and preparatory work and examine different financing arrangements. The start date on the A80 would be 2008-09 and the start date on the A8 would be 2007-08.

I will run through who will provide each project. In the case of rail links for the airports, we are in discussion with the Strategic Rail Authority—as members will know, the links are one of the priorities in the SRA plan—the British Airports Authority, Strathclyde Passenger Transport in the case of Glasgow airport, and the local authorities. I expect to see all those bodies make a contribution on the financing of the airport links. Those discussions are already under way.

As to who will provide the financing in Edinburgh, members will be aware that last month we announced the establishment of Entico, which is a joint venture with the private sector, led by Ewan Brown. We have asked Entico to draw up

the congestion charging scheme, or at least work with City of Edinburgh Council to finalise the scheme. We expect to receive that in autumn 2002. We also expect further details on financing when City of Edinburgh Council and the private sector players have reached agreement.

On the central Borders rail link, members know that the consortium has been established, but I expect contributions from the Scottish Executive, local authorities and the private sector. I have been encouraged by the willingness of the Edinburgh financial community to enter into discussion about contributing to that vital rail link. It is key to the development of Edinburgh as a financial centre and the heart of Scottish corporate life.

The A8 and A80 corridors are partly dependent on whether we choose to use a public-private partnership. As Mr MacAskill knows, we are considering whether a PPP would be appropriate for the M74. A PPP could free up additional resources for public transport improvements. If the corridors are trunk roads, there are permissions available to use tolling should we so wish. If it turns out that those corridors are not new roads, tolling would require legislation and we would want to discuss that in the context of the multimodal study.

All that I have said alludes to the wider point. Until we specify the 10 projects that we are trying to complete, it is not possible to put together all the necessary funding packages. To minimise the burden on the public purse, we are looking for the optimal and speediest financing arrangements for each. Those arrangements will vary from project to project.

The Deputy Presiding Officer: We have plenty of time in hand this morning and the minister has already agreed that we can run on a bit.

David Mundell (South of Scotland) (Con): I think that my questions can be answered more briefly.

First, I thank the minister for advance notice of her statement. I first read it in *The Herald* on 6 February. There is not much left of Sarah Boyack's original proposal for a 15-year strategic plan. What we have is a number of 15-second soundbites that will no doubt be spun out endlessly over the next 15 months as we approach the Scottish Parliament elections.

How does the minister expect anybody to take seriously a report that ends with a picture of an aircraft taking off and the line

"The report will be rolled forward into solid plans"?

Is that not as clear an admission as we could have that the Executive has no concrete plans?

How can we have any confidence in the minister's ability to deliver anything when her term as minister has been characterised by transport chaos? Rather than producing nine or more glossy leaflets, is it not time to get into the real world where people judge delivery of public services on their experience of strikes, congestion on the roads, potholes and unreliable transport?

Does the minister's statement in *The Sunday Herald* that rural transport problems have all been fixed not show contempt for people in rural areas who have never experienced roads in such a poor state?

Finally, where is the money? In the minister's statement and in all the spin around it, not a penny piece is being proposed for expenditure beyond 2004. We cannot have a plan to deliver into the next decade if there is no money behind it. Where is the money?

Ms Alexander: The only difference between this plan and the one that might have emerged from my predecessor, Sarah Boyack, is that my plan has an implicit time horizon of 12 years rather than 15. It is fair to say that every one of the priority projects and the studies on each of them was started by Sarah Boyack, ably assisted by Lewis Macdonald, who has provided continuity.

It is significant that nine of the 10 projects are public transport projects. Publishing the plan today was only possible because Ms Boyack pioneered the shift from less than 12 per cent of the total transport budget being spent on public transport when she acquired the portfolio following the characteristic stewardship of Conservative party. At the end of her tenure, she had shifted 53 per cent of the transport budget into public transport.

I move to Mr Mundell's second point about delivery. It is because we think that delivery is key that in Scotland—unlike in England—we have pioneered specifying the projects that need to be completed to change the experience of passengers. We have not gone down the route of the Department for Transport, Local Government and the Regions, whose 10-year transport plan focused on more general targets. That is right for a larger geographical area, but it would be inappropriate for Scotland because it would mean disconnection between targets and projects. Scotland needs to know what is going to happen, which projects will happen and when. That is what we have sought to do in the statement.

It is not the case that all the projects in rural Scotland have been completed. Indeed, it is for that very reason that Ross Finnie and I announced this week the extension, and shift in emphasis of, the rural transport fund. As members will know, the support for lifeline services, Caledonian MacBrayne, HIAL and the northern ferries, is now

at an all-time high. The reason why Sarah Boyack and Lewis Macdonald had to focus on the lifeline services was the underinvestment in those services by the Conservative party.

Finally, when it comes to finance, transport has sometimes been neglected by many Governments. I note that there have been 20 ministers responsible for transport in the United Kingdom in the past 20 years. That neglect is not just due to the volume of transport ministers. It has been caused by a lack of clarity about what we are trying to achieve. That was why the previous Conservative Administration could plan for the first two years of the Labour Government to have a declining line on transport.

There are less than four weeks to go before the Chancellor of the Exchequer announces the expected uplift in public expenditure in the next comprehensive spending review. With less than four weeks to go, it would be foolhardy to try and look backwards three years and specify moneys associated with the previous spending review, which is now more than two years out of date.

Nora Radcliffe (Gordon) (LD): I will introduce a positive note into the issue. Although there are problems and there have been years of underfunding, things are happening. Local projects have come out of the rural transport fund that have benefited communities in my area. There are park-and-ride facilities on the periphery of Aberdeen that have benefited my constituents and me when travelling into Aberdeen. The things that are happening might be small scale, but small scale is how people live.

However, there are many big things to do. I was pleased to see that Aberdeen and the north-east are at number 5 in the list of priorities. The minister mentioned the 1960s vision of linking up Scotland's major towns and cities, but that vision ran out before it got to Aberdeen and the north-east and we are still awaiting the completion of the links to the main cities of Aberdeen and Inverness—the A96 is a long-neglected main travel route. When it comes to prioritisation, I ask the minister to take into account the fact that she has a lot of catching up to do from the 1960s.

Priority 10 is the central Scotland corridor study. The report points out that it occurred to people that the central Scotland transport model should be extended and enhanced to include Aberdeen and the north-east. Will the model be extended and enhanced, and will a more inclusive transport model for Scotland be used, rather than the model that is confined to the central belt?

Ms Alexander: First, the order in which the 10 projects appear does not imply any order of priority; we should correct that view now. The logic of the order in which they appear is that seven of

them are to do with tackling congestion in our principal cities, two are to do with integration—traveline and access for pensioners—and the final one is about the missing links.

We are seeking to make the rural transport fund more responsive to local communities. Frankly, in the past when local communities felt that no money was available for public transport, they did not get together to think about whether a community taxi or a community bus service would be right for them. With the funding of 500 projects, more debate is being generated in local communities about the right transport solution for them and about whether the best solution is a community taxi or a community bus service. Ross Finnie and I are trying to make the next incarnation of the rural transport fund more responsive to local communities that are coming up with proposals that are right for their areas, because they now believe that there will be resources for the projects.

On the 1960s vision, I will resist the opportunity to talk about the road improvements that were made at that time in the north-east. Suffice to note that, taking a Highland analogy, between 1962 and 1970 the travel time between Inverness and Carlisle was halved. That is a measure of the consistency of purpose and national consensus that was built at that time. We seek today to build the same national consensus around access into Glasgow, Edinburgh and critically—as Nora Radcliffe says—Aberdeen.

I offer Nora Radcliffe reassurance on the north-east roads system. As she will know, there have been three multimodal studies in Scotland—on the M74, the A8 and the A80. It is clear from the study of the A80 that the benefit of upgrading that road is that it will improve the freight route linking the north-east of Scotland to the west of Scotland. One of the key drivers for the people who are involved in that study is getting congestion off that corridor to provide that vital economic link to the north-east.

With regard to the announcement that Lewis Macdonald, who has done much of the work on this matter, and I made on Tuesday, the significance of extending for the first time an Executive-sponsored road traffic model to the north-east is that it will give us data of the same quality that would be obtained from a multimodal study in the north-east. Of course, it was open to us to say, “Stop now. Could we start all over again and have a multimodal study for the west of Aberdeen?” but that seemed inappropriate. It was more important to work with NESTRANS to update the quality of its data so that it was of the same quality that would be obtained from a multimodal study, so that we can figure out the right way forward for roads west of Aberdeen and into

Aberdeenshire.

The Deputy Presiding Officer: I have allowed substantial questions and answers so far, but I expect significantly shorter questions and answers from this point.

Des McNulty (Clydebank and Milngavie) (Lab): With her enterprise hat on, the minister has given prominence to the regeneration of the Clyde corridor. I highlight the importance of developing vital transport links there, in particular along the north side of the Clyde. That must be considered in the next prioritisation exercise.

In the context of the rail franchise and her investment strategy for public transport, what priority will the minister give to speeding up the journey time between Glasgow and Edinburgh, which is currently five minutes slower than it was more than 30 years ago in 1971? It is important that we upgrade the rail line so that it is a proper express intercity line, instead of the suburban line that it seems to be becoming.

Ms Alexander: I share Des McNulty’s view that the west of Scotland is important. That is why people will note that the Glasgow and Edinburgh airport links are noted as vital linkages; neither is given priority. Most of the airport linkage schemes are south of the River Clyde and do not cross the river. I expect my colleague Lewis Macdonald to make a statement on that in early summer, around the time we discuss the aviation work that has been done in Scotland. I expect that statement to bring people up to date with progress on the linkages.

The member may know that through the public transport fund we have given WESTRANS and Strathclyde Passenger Transport just short of £300,000 to commence a study to determine the right public transport infrastructure for north of the River Clyde. In particular, it will examine the right options for the Glasgow harbour area. I have recently been briefed on the study, which has now commenced.

On the rail franchise and speeding up the Glasgow to Edinburgh rail link, the member will be encouraged to know that the Strategic Rail Authority identified three projects in Scotland for major improvement: the first was Waverley station; the second was airport links; and the third was the central Scotland study. One of the reasons why we cannot speed up the rail journey time between Glasgow and Edinburgh tomorrow is that, quite simply, there is not enough room at Waverley station. As many members know, there is only one platform 14. Another problem is that the trains currently have to stop at Croy, Lenzie, Polmont, Linlithgow and so on. If we had more track capacity at Waverley, we could instantly have a non-stop service, if that was agreed with the

operator.

Increased track capacity and further line enhancements are also under consideration. I discussed the Waverley project with Richard Bowker of the SRA in London last week, because the SRA and Railtrack will have a major role in pursuing the project. If we have a 15-year rail franchise in Scotland, it will become possible to talk to the operator not just about service enhancements, but about infrastructure enhancements, as part of the franchising process.

Brian Adam (North-East Scotland) (SNP): I hope that the minister's reference to the potential work on the A80 being of significant benefit to the north-east is not in any way the fulfilment of the promise that she gave in Aberdeen this week that she will provide a level playing field. A commitment to do something about the A80 is welcome, but I do not know that it is the principal concern of the people of the north-east.

I have two questions. First, the minister told us that nine of the 10 priorities relate to public transport. For the sake of clarity, will the minister tell us whether Aberdeen's congestion will be tackled solely through a public transport solution?

Secondly, the chapter of the transport delivery report entitled "The Vision" states that the Executive will prepare

"a robust assessment of whether targeted road improvements, including the Western Peripheral Route, could contribute."

Does that mean that the minister thinks that the western peripheral route proposals may not contribute to a reduction in congestion? Can she give us some idea when we will have a final decision on whether the Executive will accept its responsibilities for providing what should be a trunk route, to complete a significant link in the north-east that has been missing for a long time?

Ms Alexander: I can genuinely give Brian Adam most of the reassurance that he seeks. I will draw an analogy with the south side of Glasgow. As he will know, when we were thinking about the M74, we noted that there were two principal reasons why people use major ring roads: to deal with local congestion and because they are major strategic arterial routes for goods to market. In the case of the M74, that means vehicles going from Ayrshire, Inverclyde and Renfrewshire to markets in the south. There is also an analogy with congestion issues and how to get from the south side of Glasgow into the centre of the city.

The same issue applies to the creation of a modern transport system in Aberdeen. This week, we reached an important agreement in Aberdeen. Two issues are how we get traffic from Peterhead, north Aberdeen and Bridge of Don to the south and how we help people to enter Aberdeen. We

do not have sufficient data about the percentages of strategic and urban congestion. As we did when we completed the multimodal study on the south side of Glasgow, we had to make choices about the route and the number of off-ramps, which depended on whether the principal problem was congestion or the route to market.

This week, we agreed that, for the first time, we would say to NESTRANS not, "We will do the multimodal study for you," but, "We trust you and we will give you our model." That will allow what is strategic congestion and what is congestion to the west of Aberdeen to be assessed, as it was in the multimodal studies in the south. I cannot give a commitment on how the outcomes of the study will be financed. I will receive the A8 and A80 multimodal studies next month. We have not resolved how their outcomes will be funded completely, because issues such as whether tolling should be part of the agenda must be addressed.

Bristow Muldoon (Livingston) (Lab): I agree with the minister that dealing with urban and interurban congestion is the most pressing transport issue in Scotland. The statement goes a long way towards addressing that issue.

The minister is correct to identify a move to a 15-year franchise as the most effective way of making a substantial step change in Scotland's rail services. Does the minister believe that there are opportunities for us to make progress in improving services before that franchise is let?

I congratulate the minister on her comprehensive response to Mr MacAskill's questioning. Does she agree that the comic element in today's exchanges was the accusation that the minister was short on detail and long on rhetoric, when Mr MacAskill has made a career of being that?

Ms Alexander: In the interests of brevity, I say yes, yes and yes.

Mr Murray Tosh (South of Scotland) (Con): Will the minister confirm that her only new announcements were of £20 million for the A80 and of the park-and-ride scheme at Croy? Is she aware that, in each of the past three years, her predecessor made a detailed three-year projection of trunk road improvement projects? Will a further tranche of projects for 2004-05 be announced this year? Does the minister realise the significance for huge areas of Scotland of those announcements, which recently have been annual? They have established projects that tackle the real problems of rural areas—road safety, inadequate carriageways and the peripherality that stems from poor transport links.

Ms Alexander: A number of road transport improvements will go ahead shortly. If I find the

list, I will tell the member about the projects that will commence this year. In my statement, I tried to set the vision for the next 10 years. In the interests of brevity, I did not say which of the 94 projects to which we are committed will commence in the next few months. When invited to, we circulated this morning a list of the 15 or 20 projects that will happen this year. I am more than happy to send that list to the member.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I have such a big smile on my face that I can hardly speak. I welcome the minister's statement and the commitment to Croy railway station's park-and-ride scheme. I thank the minister's predecessor, Sarah Boyack, who showed much commitment to the project. Croy station's improvements are a perfect example of how improving public transport services creates demand. The station has been a victim of its own success and I look forward to that success continuing.

I welcome the minister's announcement about the Auchenkilns roundabout. People who live in Cumbernauld and Kilsyth have long recognised that improving that facility will move traffic on. I await with interest the publication of the multimodal study.

The Deputy Presiding Officer: Please be brief.

Cathie Craigie: In response to the attacks from the SNP and the Tories—the SNP said that the announcement was short on detail and the Tories said that it was full of soundbites—does the minister agree that SNP and Tory transport policies are nothing more than hot air?

The Deputy Presiding Officer: Yes.

Ms Alexander: When the Opposition spokespeople can tell us their top 10 priority projects, they can lecture the Executive on lack of detail.

Croy station's park and ride was the most pressing scheme to emerge from multimodal study work. We hope that the scheme will be the first of many. It is astonishing that even after doubling capacity to 250 park-and-ride places, opportunities for further expansion are built into our plans.

As people who use the Auchenkilns roundabout will know, the safety issues that it raised were so pressing that we had to move ahead now.

Robert Brown (Glasgow) (LD): I welcome the announcement on the Glasgow airport link. Will the minister confirm that the Glasgow link will go in tandem with the Edinburgh link? In previous statements, the Edinburgh link seemed to have priority. Does the minister recognise the palpable disappointment that will exist in Glasgow at the lack of public transport provision announcements for Glasgow, particularly about crossrail or other

such developments? That is against the background of huge social exclusion in Glasgow. Does she recognise that the statement is short on vision and short on realistic answers to congestion problems in the city of Glasgow?

Ms Alexander: As I said, the consultants have completed phase 1 on the airport links. We expect to have something to say in late summer about the routes that are under consideration. The member should be aware that links to both airports and cross-links through Glasgow to link the airports to the central Scotland network are being studied.

I would be disappointed if people in Glasgow felt disappointed by the statement. Pensioners form a high proportion of Glasgow's population and will benefit from the free public transport scheme. The excellent service that Strathclyde Passenger Transport Executive has provided may mean that Glasgow pensioners will benefit disproportionately from the scheme, because of the number of bus services in the city. Glasgow is seeing the construction of the M74 extension. The Executive has made a substantial contribution to that. The increase in platform capacity at Waverley station will benefit both sides of the Glasgow to Edinburgh route by allowing more trains to travel from Glasgow. Similarly, I do not imagine that everyone who parks their car at Croy station goes to Edinburgh.

Rhona Brankin (Midlothian) (Lab): I welcome the minister's statement. The minister drew attention to our Kyoto commitment to reduce carbon dioxide emissions and I welcome the commitment to get people out of cars and on to public transport, thereby reducing congestion. Will the minister assure me that the plans for the Waverley line and for Edinburgh city will be developed in an integrated way that examines the needs of constituencies such as Midlothian, which falls between the two? Sixty per cent of Midlothian's population travels to work in Edinburgh and faces appalling congestion at Sheriffhall roundabout.

Ms Alexander: On the Kyoto targets, I know that some criticism has been made about why we have not set targets local authority by local authority to achieve the Kyoto reductions that we want. We have not done that yet for a simple reason. The likely road congestion and contributions to emissions in Caithness, Sutherland, Stornoway and Shetland are different from the likely contributions to emissions from road congestion in Glasgow, Edinburgh and Aberdeen. That is why my predecessor, Sarah Boyack, put in place a detailed study that will let us set targets by authority to meet the Kyoto targets. We expect to publish those targets towards the end of the year.

One great advance, which the Parliament began

a couple of years ago, is the establishment of regional transport partnerships, such as SESTRANS and NESTRANS, which allow us to consider the regional dimensions of planning. When I talk about people entering and leaving Glasgow, Edinburgh and Aberdeen, I stress that I am talking not only about how people move in and out of urban areas but about how they access workplaces, which increasingly are not in city centres but at diverse points in urban locations.

In addition to the main routes strategy, another great achievement of the 1960s was Barbara Castle's legislation to establish regional passenger transport authorities. Many other parts of Scotland look enviously at what the SPT achieved and continues to achieve, as part of SPT, in the west of Scotland. We hope that SESTRANS, NESTRANS and HITRANS evolve in a similar direction.

Ms Sandra White (Glasgow) (SNP): The minister mentioned that various authorities would be expected to contribute towards the costs of airport links and crossrail. Do the authorities know that they are to contribute and how much they are to contribute? I understand that SPT does not have a lot of money. Is the minister aware that the Stansted rail link was funded by national Government? If so, why is that not the case for the rail links to Edinburgh and Glasgow airports?

Ms Alexander: At the moment, the individual local authorities that are involved contribute through the planning and design stages.

On the funding of SPT, the member knows that SPT is engaged in a dialogue with the Executive to examine its financing arrangements. We are sympathetic to the continuation of that dialogue.

Dr Jackson: As the MSP for Stirling, I, like Cathie Craigie, welcome the improvements in Cumbernauld, which will help commuters travelling to Glasgow. I ask the minister for reassurance on her commitment to car parking at railway stations including Dunblane. Unless we extend car parking at railway stations, we will not be able to encourage more people back on to trains.

Ms Alexander: The chamber can take our commitment to Croy station park and ride as a signal of intent when it comes to the spending review. Clear evidence is emerging from the multimodal corridor studies that 86 per cent of the traffic at peak times on the A80 in the member's constituency is generated by single-person car occupancy commuter traffic—in west Edinburgh, the figure is 81 per cent. The key method of getting rid of congestion is to make park-and-ride facilities and comfortable interchanges available to commuters.

The facility at Croy will not be the only park-and-ride facility to be built, but it was the most urgent

facility and the one that we could most easily move to the top of the queue. I expect park and ride to feature prominently in the multimodal studies that we are to receive in the summer.

Mr David Davidson (North-East Scotland) (Con): I forget how many speeches the minister has made this morning, but in her first one she mentioned congestion in Aberdeen. Later, in a reply to Brian Adam, she said that Aberdeen might not get a western bypass. The document that the minister released this morning included a commitment to support road charging and an endorsement of the provision of wider powers for local councils to introduce charging systems. Does that mean that if and when Aberdeen gets a western bypass, it will be a toll road?

Ms Alexander: I would like to clear up the matter, but I do not want to take up time in the debate to do so.

The Deputy Presiding Officer: We can allow the minister until 10.30 am to reply to questions.

Ms Alexander: Until now, there have been only three multimodal studies in Scotland: one on the M74 on the south side of Glasgow; one on the A80; and one on the A8. This week, we created a process similar to the one that underpins the multimodal studies for the north-east. It is to be undertaken by NESTRANS, but the modelling process that is involved will have the full support of the Scottish Executive.

The M74 helps to relieve congestion by getting people in and out of Glasgow. It also provides the strategic function of getting goods out of the city and on to through routes. A western peripheral route that was part of a modern transport system for Aberdeen would fulfil a dual function in exactly the same way as all the roads that were examined in the multimodal studies. I hope that I have not drawn a false distinction in that respect.

In trying to establish how such plans might be financed, I have initiated a different review in relation to the M74. I am considering whether it should be funded through a PPP, as happened for the A80 and the A8. We have said before that we need to await the outcome of the multimodal studies, but we welcome the willingness of the Confederation of British Industry and others to examine the means by which a contribution could be made to the process.

Given that we have not yet undertaken the modelling for the area to the west of Aberdeen, it would seem presumptuous to single that area out for a particular form of funding. Although we are approaching the end of a two-year multimodal study period on the other corridors that I have mentioned, we will not specify the outcomes until we have taken receipt of the studies. There is no doubt that the character of road usage will

influence the decision on the appropriate balance of funding. We are assessing the balance between strategic and local needs on a like-for-like basis.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): I welcome the significant investment of £3 million that has been allocated to the transport interchange plan for Gourock. Through her involvement in the area, the minister will know of the delays that have plagued the project. Will she tell the chamber what she has done, and what she will do, to ensure that the project goes ahead as soon as possible?

Ms Alexander: I am acutely aware of the collapsing sea wall at Gourock, which is causing problems for the upgrading of the station. As the chamber is aware, four projects are caught up in Railtrack's decision that all of its signalling resources should be concentrated on post-Hatfield safety work. The difficulty for all branches of Government is that it would be wholly inappropriate to interfere in decisions about safety priorities, as they are the judgment of the rail regulator.

That said, when signalling resources become available, we are anxious that resources that are not required for essential safety work should be diverted into projects in which we have made a financial commitment, such as the Gourock project.

Last week in London, I discussed that very matter with Richard Bowker, the head of the Strategic Rail Authority. I am hopeful that, when Railtrack begins to have the signalling resource that allows it to do things other than safety, the four Scottish projects—including Gourock—will be very near the top of the list.

Tavish Scott (Shetland) (LD): Does the minister accept that to invest in CalMac, the northern isles ferries and HIAL is to invest in infrastructure? Welcome as that is, it does not change the fares that people in the outlying areas of Scotland face. Does she accept that, while the investment in HIAL has improved the company's position, it has not led to changes in the exorbitant price of flying to and from the northern, western and other isles in the outlying parts of Scotland? Will she give an undertaking that she will look at innovative transport policies, such as public service obligations, to counter the cost of living in those areas?

Ms Alexander: I think that I heard three questions struggling to get out.

There is no question about the level of infrastructure investment that we have made. The challenge for the management of CalMac and HIAL is how they use their much-improved infrastructure to provide a better service to passengers.

Last Friday, en route to Gigha, I talked to the managing director of CalMac. I asked him about how CalMac's new route managers will create a service that is more responsive to passengers' needs. To take Gigha as an example, a very slight change to the ferry timetable would allow schoolchildren to get home every night. At present, they have to spend four or five days each week in Campbeltown. A critical change for the future of that community would be made possible by shifting the ferry timetable by half an hour. We should look forward to that sort of flexibility being introduced in many other parts of rural Scotland. The MD of CalMac was talking enviously about the quality of the new ships for the northern isles, which he had seen recently while they were under construction.

High air fares are a problem for rural communities and the Executive raises the issue regularly with the commercial air operators. The Executive's commitment has been to upgrade the HIAL facilities. Shortly, Lewis Macdonald will accompany the First Minister to one of the new airports that is to open in, I believe, Tavish Scott's constituency.

A case can be made for public service obligations in the provision of ferry and lifeline air links. We are committed to the public service obligation route where it is appropriate.

Richard Lochhead (North-East Scotland) (SNP): The minister is aware that, in the regeneration of rural communities, it is important to improve the transport infrastructure. A major challenge exists in rural Aberdeenshire, given that the area has little access to bus services and few rail links. Indeed, there is not one inch of rail track in Banff and Buchan. Will the minister explain how the statement will be of benefit to Aberdeenshire and the transport infrastructure in the north-east of Scotland?

Ms Alexander: Yes. The motorway and trunk roads programme will include the A96 at Coachford; the A96 at Newtongarry; the A90 at Hatton Bends; the A90 at Cammachmore; and the A90 from Laurencekirk to Oatyhill. As for public and integrated transport fund projects, there will be more than £3 million for a bus priority park-and-ride scheme; £766,000 for Aberdeenshire station improvements; £745,000 for the Peterhead and Mintlaw park-and-ride scheme; and £0.6 million for the Ellon park-and-ride scheme. I will not list all the rural transport projects in the area, but there will be funding for services in Portsoy, Banff, Fraserburgh, Strichen and Turriff; the central Buchan dial-a-community-bus scheme; the central Buchan circular bus service; an enhanced Peterhead bus service; enhanced bus services between Peterhead and Ellon, Fyvie and Inverurie and Methlick and Ellon; the Ellon and district

transport club initiative; and so on.

Marilyn Livingstone (Kirkcaldy) (Lab): I welcome the minister's statement. It is imperative that the people of Fife have an improved, good-quality rail network that will allow them to travel. As many of my constituents commute to Edinburgh and Glasgow, what improvements will the Executive make to improve their rail journeys?

Ms Alexander: Everyone involved in public transport in Scotland has been surprised by the demand for public transport services from Fife into Edinburgh as the city grows and prospers. That demand has been illustrated by the fact that, in the past two years alone, there has been a 25 per cent increase in the use of the Fife circle service. The single most important improvement to Fife rail services is the redevelopment of Waverley station, about which I have made a further statement this morning. We hope that work will start in 2004 to improve the volume of services from Fife. In addition, we are aware of the need to improve rolling stock and of the issue of platform extensions.

The Deputy Presiding Officer (Mr Murray Tosh): That concludes the minister's statement and questions on it.

Parliamentary Bureau Motion

10:31

The Deputy Presiding Officer (Mr Murray Tosh): We move to consideration of a Parliamentary Bureau motion. I invite the Minister for Parliamentary Business to find a microphone and to move business motion S1M-2921, which is a timetabling motion on the Scottish Public Service Ombudsman Bill.

The Minister for Parliamentary Business (Patricia Ferguson): Presiding Officer, I apologise for not being in my proper seat. Mr Robson's absence caught me slightly unawares.

I move,

That the Parliament agrees that, at Stage 3 of the Scottish Public Services Ombudsman Bill, debate on each part of the proceedings shall be brought to a conclusion by the time limits indicated (each time limit being calculated from when Stage 3 begins and excluding any periods when the meeting is suspended)—

Groups 1 to 3 - no later than 1 hour

Motion to pass the Bill – no later than 1 hour 30 minutes.

Motion agreed to.

Scottish Public Services Ombudsman Bill: Stage 3

10:32

The Deputy Presiding Officer (Mr Murray Tosh): We move to the stage 3 proceedings on the Scottish Public Services Ombudsman Bill. I do not intend to read through all the usual script. However, members should be aware that, for the purposes of the debate, they will need the bill, the marshalled list of amendments and the groupings that have been established by the Presiding Officers.

Section 5—Matters which may be investigated

The Deputy Presiding Officer: Amendment 1, in the name of Peter Peacock, is grouped with amendments 2, 3, 4 and 5.

The Deputy Minister for Finance and Public Services (Peter Peacock): At stage 2, Iain Smith lodged amendments that were aimed at harmonising the ombudsman's remit across all bodies in Scotland within his or her jurisdiction. The issue was raised in the Local Government Committee's stage 1 report as well, and I advised the committee during stage 2 that the Executive was sympathetic to the principles behind Iain Smith's amendments. However, I asked that the amendments be withdrawn while the Executive reviewed their wider effects and, in particular, checked that there would be no overlap with other regulatory regimes that had been established to monitor public service delivery.

Amendment 1 extends the ombudsman's remit to allow him or her to investigate complaints from an individual of injustice or hardship arising from service failure by a listed authority. That brings the ombudsman's remit in relation to other bodies into line with his or her remit in relation to health service bodies.

Amendment 2 inserts a definition of the term "service failure", which includes

"any failure in a service provided by"

a listed authority, and

"any failure ... to provide a service which it was a function of the authority to provide".

Amendments 3, 4 and 5 are consequential changes to paragraph references.

At stage 2, Iain Smith stated that it was not his intention to extend the ombudsman's remit into discretionary decisions or professional judgments. I assure the chamber that the amendments will not widen the ombudsman's remit to the extent of questioning discretionary decisions that are made

by public authorities, including decisions on whether to provide a service which an authority is not statutorily required to provide, or decisions on how to provide a service.

Section 5(6) specifically states that section 5

"is subject to sections 6 to 8"

which impose a range of restrictions and exclusions on the matters that the ombudsman may investigate. In particular, section 7(1) prevents the ombudsman from questioning a decision that has been taken without maladministration in the exercise of a discretion vested in the authority. Moreover, the amendments will not affect professional judgments in the public sector. I should also clarify that the amendments will not alter the ombudsman's existing remit in relation to health service bodies.

We are now satisfied that the amendments will not result in any overlap between the ombudsman's remit and other arrangements for monitoring public service delivery, and I ask the Parliament to support them.

I move amendment 1.

Iain Smith (North-East Fife) (LD): I thank the minister for the helpful way in which he has dealt with this matter and the other amendments that the Local Government Committee suggested should be made to the Scottish Public Services Ombudsman Bill, including—as members may note—to the title of the bill.

Amendment 1 will helpfully allow the ombudsman to investigate any public concerns about service failure in any public body. It is important that there is consistency across the public sector in this respect, particularly as we move towards more joint working among various public bodies. For example, it would have been a rather strange anomaly if the ombudsman had been able to investigate the health service aspects of a complaint on a community care matter because there had been a failure of service, but had not been able to investigate the local government aspects of the complaint because there had been no administrative failure by local government. Amendment 1 will mean that the bill avoids such anomalies.

I emphasise that the provision is not intended to stray into discretionary areas. The question is not about the decision on whether to provide a service, but about whether, once the decision to provide a service has been made, that service has failed. For example, a complaint to the ombudsman about a local authority's decision to collect refuse every fortnight instead of every week would not be permitted. However, a complaint that centred on a local authority's failure to collect refuse regularly from a particular household could

be investigated by the ombudsman as a failure of service. In fact, section 7(1) makes it clear that the ombudsman does not have the powers to investigate a local authority's discretionary powers.

Furthermore, amendment 1 does not give the ombudsman the power to investigate matters of professional judgment. The judgment of teachers and social workers in exercising their professional duties should not be subject to investigation unless there is a question of maladministration.

I welcome the minister's positive response to my stage 2 amendments on this issue and indeed to all the concerns that the Local Government Committee raised at stage 1. Those concerns have all now been addressed, and I urge the Parliament to support amendment 1.

Ms Sandra White (Glasgow) (SNP): I seek the minister's clarification on a point about amendment 2, which defines the term "service failure". Will the ombudsman be able to investigate a grievance about service failure by a social inclusion partnership?

The Deputy Presiding Officer: I ask the minister to wind up.

Peter Peacock: I have very little to add. Iain Smith's point about consistency across the public sector in how we treat such matters underlies amendment 1. Iain Smith usefully explained why he did not want to extend the provision to include discretionary decisions and also pointed out that the ombudsman's remit will not include matters of professional judgment. It is important to underline that we do not intend to open up those matters.

I will have to write to Sandra White on her question about SIPs, as the answer will depend on their precise constitution in any given circumstance. However, if SIPs operate under the banner of a public authority, they would be subject to the ombudsman's interest. I will clarify that matter with Sandra White in due course.

Amendment 1 agreed to.

Amendments 2 to 4 moved—[Peter Peacock]—and agreed to.

Section 10—Complaints: time limits and procedure

Amendment 5 moved—[Peter Peacock]—and agreed to.

Section 19—Confidentiality of information

The Deputy Presiding Officer: Amendment 6, in the name of the minister, is grouped with amendments 7, 8, 9, 12 and 13.

Peter Peacock: Amendments 6, 7, 8, 9, 12 and 13 seek to implement the Executive's policy aims of providing a clear and consistent framework for the ombudsman to consult and co-operate with equivalent ombudsmen in England and Wales, and of enabling the ombudsman to share information with the UK information commissioner and Scottish auditors.

Amendment 9 inserts a new section in the bill that provides for consultation and co-operation with equivalent UK ombudsmen. The chamber will note that, for reasons of legislative competence, amendment 9 does not include reciprocal provisions for the UK ombudsmen to consult and co-operate with the Scottish public services ombudsman. The Executive intends that those provisions will be made by way of an order under section 104 of the Scotland Act 1998, to be taken forward by the Westminster Parliament. That should ensure that the intended policy is implemented properly on a UK basis.

Amendments 8 and 12 would insert a new section and schedule in the bill to make provision for the ombudsman to disclose information to the UK information commissioner and Scottish auditors.

Amendment 7 is consequential on amendment 8.

Members will note that the UK Freedom of Information Act 2000 already provides for the UK information commissioner to disclose information to the existing Scottish ombudsmen. Amendment 13 simply updates references in that act to refer to the new ombudsman.

As a consequence of the provision in the UK Freedom of Information Act 2000, amendment 6 provides that information that is obtained by the ombudsman from the UK information commissioner must be treated in the same way as information that is obtained in connection with a complaint or a request for an investigation.

The Executive originally anticipated that amendments 8 and 12 would also cover the sharing of information between the ombudsman and the Scottish information commissioner. That position will be created under the Freedom of Information (Scotland) Bill, which is being considered by the Parliament. The Scottish Public Services Ombudsman Bill is at a more advanced stage of parliamentary consideration than the Freedom of Information (Scotland) Bill, therefore it will be necessary to include the provision to which I referred in the Freedom of Information (Scotland) Bill. That will ensure that cross-references between the two bills are correct.

I ask the Parliament to support the amendments, and I move amendment 6.

Ms White: I seek clarification on amendment 9. I am pleased that there will be consultation and co-operation with other bodies. Subsection (1)(a) of the new section that amendment 9 would insert in the bill refers to the parliamentary commissioner for administration. Would that provision also apply to the Scottish Legal Aid Board? I understand that, at the moment, investigations cannot be conducted in respect of contractual or commercial transactions. Will the Scottish public services ombudsman have the power to conduct such investigations? Will they be able to consult the other ombudsmen on the matter of legal aid funds?

Peter Peacock: The amendment would not alter the powers that exist, but it would give the ombudsman the proper power to consult under powers with which they are provided elsewhere in the bill. It would not alter, in a legal sense, the situation that Sandra White describes, but it would make it possible for the commissioner to consult on the matters to which the amendment refers, in a way that is consistent with the remainder of the bill.

Iain Smith: Will the minister clarify whether the effect of the amendments will be to ensure that people cannot hide behind the ombudsman in order to prevent the disclosure of information that would otherwise be subject either to the UK Freedom of Information Act 2000 or to the Freedom of Information (Scotland) Bill? It is important that the minister should make it clear that that is the intention of the provision.

Peter Peacock: I am happy to confirm that that is the case.

Amendment 6 agreed to.

Amendment 7 moved—[Peter Peacock]—and agreed to.

After section 19

Amendments 8 and 9 moved—[Peter Peacock]—and agreed to.

Schedule 2

LISTED AUTHORITIES

The Deputy Presiding Officer: Amendment 10, in the name of the minister, is grouped with amendment 11.

10:45

Peter Peacock: Amendments 10 and 11 are technical amendments to schedule 2, which lists the authorities that are subject to the remit of the ombudsman.

Amendment 10 seeks to make explicit reference in schedule 2 to the Auditor General for Scotland,

as the existing reference to Audit Scotland does not cover the functions of the Auditor General, who is a separate legal entity. The amendment ensures that complaints that are made against the Auditor General can be considered by the ombudsman. That has always been our policy intention.

Amendment 11 removes the reference in schedule 2 to Community Learning Scotland. As members may know, that body will cease to trade from 1 April this year.

I ask the Parliament to support the amendments, and I move amendment 10.

Amendment 10 agreed to.

Amendment 11 moved—[Peter Peacock]—and agreed to.

After schedule 4

Amendment 12 moved—[Peter Peacock]—and agreed to.

Schedule 5

MODIFICATION OF ENACTMENTS

Amendment 13 moved—[Peter Peacock]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Scottish Public Services Ombudsman Bill

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a debate on motion S1M-2853, in the name of Andy Kerr, on the Scottish Public Services Ombudsman Bill.

10:48

The Deputy Minister for Finance and Public Services (Peter Peacock): I presume that this will be a fairly short debate to seek Parliament's agreement to the Scottish Public Services Ombudsman Bill.

I want first to deal with a formal matter. In accordance with rule 9.11 of standing orders, I advise Parliament that Her Majesty has signified her consent to the bill in so far as it affects her interests.

The Executive has a continuing commitment to ensuring modern, open and accountable government that delivers first-class public services for the people of Scotland. The Scottish Public Services Ombudsman Bill is a further example of the Executive's continuing commitment to doing that. Devolution has again proved to be of benefit to the people of Scotland. It has enabled the Executive to legislate to establish ombudsman arrangements that are specifically tailored to Scotland's needs. Through the bill, Scotland will create a public sector complaints system that is on a par with the most progressive systems elsewhere and that will provide a lead for the rest of the UK.

The Local Government Committee's stage 1 report has provided the focus for developing the bill since its introduction. The report supported the general principles of the bill but identified some areas in which the committee felt that it could be improved. I am pleased to say that the Executive was able to respond with a range of amendments that addressed the concerns that were expressed by the committee. For the benefit of the chamber, I will briefly summarise the main amendments that have been made to the bill since stage 1.

During the stage 1 debate, the Executive indicated that it would consider changing the title of the main office holder created by the bill to the Scottish public services ombudsman, and we lodged appropriate amendments to do that at stage 2.

The Local Government Committee questioned whether the bill sufficiently safeguarded and enhanced the ombudsman's abilities to resolve complaints by informal means. Again, the Executive lodged amendments at stage 2 to make

specific provision for informal resolution of complaints.

Concern was expressed by the existing ombudsmen that the bill did not sufficiently meet the principles of the Transfer of Undertakings (Protection of Employment) Regulations—otherwise known as the TUPE regulations. The Executive lodged appropriate amendments at stage 2 to put that matter beyond doubt.

The Subordinate Legislation Committee sought clarification about the private and public nature of the functions of some bodies. The Executive lodged an amendment to the bill at stage 2 to address that matter.

I am pleased that the Local Government Committee agreed to all the amendments that were lodged by the Executive at stage 2.

A further concern that was raised in the Local Government Committee report was that the bill did not provide a consistent investigatory remit for the ombudsman across all the bodies within his or her jurisdiction. Today, the Parliament has debated and agreed Executive amendments that reflect the comments that were made by Iain Smith and address the concern to which I have referred.

The bill has benefited from the development that has been achieved in open dialogue with the Parliament. I thank Trish Godman, the Local Government Committee and the clerks to that committee for their work and their valuable contribution to improving the bill in its passage through Parliament. They have helped to improve the statutory framework that is before us today.

The stage 1 debate on the bill confirmed that members broadly welcomed the Executive's proposals for reforming the public sector complaints system. I hope that the chamber will now add its endorsement to what I consider to be another good example of the Executive working in partnership with the Parliament to produce legislation that seeks positively to serve the people of Scotland.

The Scottish Public Services Ombudsman Bill provides a strong platform from which the new ombudsman will no doubt endeavour to improve further our already highly regarded public sector complaints system. I commend the bill to Parliament.

I move,

That the Parliament agrees that the Scottish Public Services Ombudsman Bill be passed.

10:50

Ms Sandra White (Glasgow) (SNP): I thank the minister for replying to my questions and I look forward to receiving written replies.

On the whole, the SNP welcomes the bill. It makes a lot of sense to have a one-stop shop for the sort of procedure that the public can understand and can access quickly and more easily. I am almost sure that the minister gave us assurances on this point at stage 2, but I urge him to advertise the changes in procedure, perhaps with a booklet or leaflet that the public can access in post offices, shops, libraries or local government buildings. It is important that the changes are advertised so that the public are aware that the Scottish Parliament's intention is to make the system much easier, more open and transparent for those who want to express their concerns. I look forward to the minister doing that work to ensure that the public are aware of the changes and of how easy it is to access the ombudsman.

The SNP is thankful that the minister has acted on the concerns about the TUPE regulations that were raised at stages 1 and 2. I am sure that the staff will be most grateful for that.

My only concern is about the change of name. Everyone said that they would like a more politically correct name, but I am sure that we can all live with the new name. I welcome the bill and the SNP will support it in its entirety.

10:51

Mr Keith Harding (Mid Scotland and Fife) (Con): The Conservatives also welcome the bill, which should, as intended, establish a simpler and modernised, one-stop shop, public sector complaints system. We are pleased that the minister took on board many of the comments and amendments that were suggested by the Local Government Committee, and we are pleased to support the bill.

I am sorry to make such a brief speech, but we have discussed the bill at length in committee. [*Applause.*]

The Deputy Presiding Officer: I have never heard such warm applause.

10:52

Iain Smith (North-East Fife) (LD): How does one follow that? I could say that that was the best speech that I have ever heard Keith Harding make, but that would be a little cruel.

The Liberal Democrats also welcome and support the bill. It is a sensible measure, which has been improved, as Peter Peacock said, by the good dialogue between the Local Government Committee and ministers throughout the process. That is a good example of how the Parliament's committees and the Executive can work together to introduce and approve good legislation.

It is valuable for the public that we now have a one-stop complaints shop for their concerns about public services. Important aspects of the bill include, for example, the fact that there is no need for an MSP or councillor to be involved in referring a complaint. Members of the public can go straight to the ombudsman with their complaints. That is an important step forward, particularly in relation to the parliamentary ombudsman; at Westminster, the public still need to go through an MP to make a complaint.

We have managed to ensure that the informal resolution processes that the ombudsmen all operate are clearly embedded in the bill and will continue as the main way in which complaints are dealt with. It is important that there is an option for public bodies themselves to refer a matter to the ombudsman when they have reached an impasse with a member of the public. Those of us who have been elected members for many years are aware of the problems that can arise when a member of the public and a local authority cannot reach agreement on whether a problem has been resolved. It is useful that the ombudsman will have the opportunity to consider such issues.

The improvements that we have made at stage 3 in relation to consistency are also important. The bill is now a good example of legislation that will benefit the public in Scotland and all of us in public service. It will ensure that complaints from the public are properly identified, addressed and considered, without there being artificial barriers about what constitutes administration and what does not.

I welcome the bill and urge the Parliament to support it.

10:54

Trish Godman (West Renfrewshire) (Lab): As Keith Harding said, the policy objective was to establish a one-stop shop, headed by the new Scottish public services ombudsman, which would be open, accountable and easily accessible to all and which would have the trust of the Scottish public. There is no doubt that we need a simpler and more effective means for members of the public to make complaints about maladministration in the public sector.

I want to mention a couple of changes that have been implemented by the Executive, which was persuaded to make those changes by the Local Government Committee. The committee agreed that existing expertise needed to be retained, but we did not believe that the most appropriate way of doing that was to designate a deputy ombudsman's post. There is no need, for example, to have a deputy ombudsman for health or for housing; to do so would be to defeat the

purpose of the bill.

The committee considered the confidentiality of information that is provided by the Scottish Legal Aid Board and asked that safeguards should be put in place to ensure that applicants are protected, so that the quality and extent of information that is provided is not adversely affected. The minister has written to me with assurances of those safeguards.

The committee welcomed the assurances from the Scottish Parliamentary Corporate Body on retaining the independence of the ombudsman's post. We are satisfied that sufficient safeguards have been put in place to ensure that there are no conflicts of interest. We were concerned that conflicts of interest could arise because the pay, allowances and pensions for the ombudsman are determined by the SPCB, while at the same time the SPCB is liable to investigation by the ombudsman. As I said, we are satisfied with the assurances that the minister has given.

The committee was concerned about the lack of publicity concerning the ombudsman. We all know from our surgeries that the information that is available to the public is woeful. It is difficult to find and not altogether clear. Most people who come to MSPs with complaints that are quite clearly for the ombudsman have never heard of an ombudsman and have never used such procedures. We therefore welcome the inclusion in the bill of the requirement to publicise the service.

I hope that the Executive will remember that it is not only information on where to find the ombudsman that is important. Information must also be made available about the ombudsman's powers, whether oral or written evidence is acceptable, whether people can take a representative with them when they are interviewed and whether they must exhaust the local complaints procedure before they approach the ombudsman. In other words, as Sandra White said, there must be as much information as possible and in as many places as possible. I am pleased that the Executive has seen the sense in supporting the committee's position on publicity. The bill will be effective only if there is easy, accessible information about the complaints system.

The committee sought assurances from the minister on staff transfer arrangements. Staff must be protected, and we have noted the minister's assurance regarding safeguards for staff.

The changes that were accepted by the Executive at the behest of the committee have improved the bill. It is right that we have a well-advertised one-stop shop for a public services ombudsman. I urge members to support the bill.

10:58

Des McNulty (Clydebank and Milngavie) (Lab): I welcome the elements of the bill that are designed to procure accessibility and the mechanisms that have been identified for the investigation of complaints.

When I was reading through the bill, it occurred to me that there was no good reason why the office of the ombudsman should be located in Edinburgh. However, I noticed from some recent advertisements for jobs in the ombudsman's office that the assumption was being made that the office should be in Edinburgh. I can think of a number of good reasons why the office should not be in Edinburgh. In fact, there are strong arguments for such offices to be relocated to other parts of Scotland. Jackie Baillie and I would be absolutely delighted to have the office in West Dunbartonshire, and other members might be able to make an adequate case for their areas. When we establish such offices, there should almost be a prejudice against locating them in Edinburgh, rather than centralising everything in the capital city. I urge the minister to give that point serious consideration.

10:59

Peter Peacock: I welcome the all-party support for the bill, which is a sensible measure to improve the complaints system in Scotland. I commend Keith Harding on the brevity of his speech and trust that that will be repeated on future occasions.

I take seriously the point that Trish Godman and Sandra White made. Having approved the new arrangements, it is important that we make the people of Scotland clearly aware of what is now available to them, what the powers of the ombudsman are and what the access arrangements are. The points that Trish Godman raised, such as being able to take a representative to an interview or being able to complain orally as well as in writing, are important. The importance that the Parliament attaches to those matters will be made clear to the new ombudsman's office.

I share Sandra White's slight anxieties about the name. We considered a range of different names, but could not find a better one. I understand that the name is of Scandinavian origin and is gender neutral, despite its appearance.

Trish Godman made a point about the ombudsman's freedom to appoint deputies as he or she sees fit, and about not constraining the ombudsman to have specialists in health, local government or other aspects of public service. I have no doubt that specialisms will emerge from the office, but that will not be required by the bill. There will be freedom for the ombudsman to make decisions in that respect.

Des McNulty commented on the location of the office, and I think that an orderly queue will form from different parts of Scotland in respect of where the office might be. However, on the general point about relocation, the Executive's policy is that consideration should be given to entirely new offices being established probably outwith Edinburgh. The question arises of whether the office is new or an amalgamation of existing offices. That said, I will consider the point that Des McNulty made. If it were decided to open up the question of the office's location, there are established procedures to follow.

Des McNulty: There are many ways by which bureaucrats can wriggle out of relocation, but the minister should regard the idea that the office is not new with considerable concern. Under the previous Conservative Administration, there was a pattern of offices ending up in Stirling, which was an interesting variation on the Edinburgh theme. We should consider such matters seriously. We should identify where the pattern of work is and try to identify an appropriate location that sensibly relocates Government jobs.

Peter Peacock: I do not think that there is any difference between Des McNulty and the Executive in respect of the principles behind what we seek to do. I think that Des McNulty has lodged a parliamentary question on that point, which is waiting to be answered. I do not want to pre-empt the answer, but there is a question about the independence of the ombudsman's office and the extent to which the Executive can direct it in such matters. Nonetheless, I take his general point and wish to see the continuation of the relocation of jobs throughout Scotland, not least to the north and west of Scotland, and to all other parts over time.

As others have mentioned, the bill is designed to improve the public complaints procedures, to create a one-stop shop and a streamlined system for the public to make complaints about failures in public service duties by public authorities and to create easier referral arrangements for complaints to be made. It is designed so that public bodies use the complaints system to improve their service constantly, use their internal complaints procedures to examine systems that fail from time to time, and improve those systems and eliminate faults in the public service as much as possible. The bill is part of our drive for better and more responsive public services in Scotland, and I commend it to the Parliament.

Business Motion

11:03

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is consideration of business motion S1M-2920, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Wednesday 27 March 2002

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Executive Debate on Tourism

followed by Executive Debate on the Size of the Parliament

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 28 March 2002

9.30 am Scottish Conservative and Unionist Party Business

followed by Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

followed by Parliamentary Bureau Motions

3.30 pm Stage 3 Debate on the Education (Disability Strategies and Pupils' Records) (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

(b) that the Justice 2 Committee reports to the Justice 1 Committee by 16 April 2002 on the Prisons and Young Offenders Institutions (Scotland) Amendment Rules 2002 (SSI 2002/107), the Police Grant (Scotland) Order 2002 (SSI 2002/116) and the draft Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) (Scotland) Regulations 2002; and

(c) that the Justice 2 Committee reports to the Justice 1 Committee by 15 April 2002 on the Restriction of Liberty Order (Scotland) Amendment Regulations 2002 (SSI 2002/119) and the Adults with Incapacity (Public Guardian's Fees) (Scotland) Amendment Regulations 2002 (SSI 2002/131).—[Patricia Ferguson.]

Motion agreed to.

Prison Estates Review

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a statement by Mr Jim Wallace on the prison estates review. The minister will take questions at the end of his statement, so there should be no interventions.

11:04

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I would like to outline the Executive's proposals for the future of the prison estate in Scotland, which are being published today for consultation.

Prisons are a crucial element of the criminal justice system. The public is entitled to protection from those who commit serious crimes and it is our responsibility to ensure that those who are imprisoned are held in secure custody. It is also the Executive's responsibility to ensure that prison conditions meet modern standards. Many of our prisons were built in Victorian times, but their role has since changed. Prisons are no longer merely places for holding prisoners; they should help to reduce crime by working to help prisoners to change their behaviour so that they do not re-offend on release.

It is an uncomfortable but undeniable fact that the existing prison estate does not meet the needs of many prisoners, nor does it address the public's interest in effective rehabilitation as well as it should. That is not to denigrate the efforts of prison staff, who display dedication and expertise in dealing with a wide range of often very difficult prisoners. However, many staff work in poor conditions, which makes it harder for prisoners to address their offending behaviour and for staff to help to rehabilitate them.

Three main issues need to be addressed if we are to have a prison estate that is fit for its purpose. First, the number of prisoners is rising and is projected to continue to rise. Overcrowding is already an issue in some prisons and the situation will worsen unless additional prisoner places are provided. The need for extra prisoner places over the next 10 years cannot be met simply by refurbishing existing accommodation and building on existing sites. It is our responsibility to plan now to meet that need.

Secondly, we must deal with existing accommodation that falls well short of an acceptable standard. We inherited a prison estate that suffered from serious underinvestment. Her Majesty's Prisons at Barlinnie and Peterhead fall well below modern standards and at Low Moss, prisoners are held in wooden huts that were built 60 years ago as temporary accommodation. The buildings at Low Moss and Peterhead are

reaching the end of their useful lives.

The third issue is slopping out. That a quarter of Scotland's prisoners must still slop out is wholly undesirable and we are committed to making that a thing of the past.

Prisons are important, but they are only one part of our criminal justice system. We are taking action to achieve a safer Scotland. That has had some success already, as falling levels of crime demonstrate. We will continue to build on that progress.

For many less serious offenders, imprisonment is not the answer. That is why our criminal justice strategy makes available to our courts an increasing range of tough, high-quality, non-custodial options. For example, restriction of liberty orders are being made available to all Scottish courts later this year and drug treatment and testing orders are being established. However, serious offences will remain, for which deterrence and the protection of the public require prison sentences and therefore prisons.

The proposals that we are publishing today have taken a long time to develop. We have been clear that we needed robust information on which to base our decisions. The issues are complex and the decisions have long-term implications and involve large sums of taxpayers' money. Our proposals meet immediate needs and long-term requirements and deliver value for money. Before I describe the proposals in detail, I will explain the basis on which they have been developed.

The remit of the estates review was to identify the likely pressures on the prison estate over at least the next 10 years and to generate options for dealing with those pressures. The review was conducted with an open mind. As I said in Parliament, nothing was ruled out and nothing was ruled in. To supplement the review, PricewaterhouseCoopers conducted an in-depth study of the cost of public and private sector options, and of a mixed option of private sector building and public sector operation for the provision of new prison accommodation.

Today, we are publishing not just our consultation document but the estates review, including the statistical background to our prisoner projections, and the PricewaterhouseCoopers study.

The latest projections for the next 10 years are an increase in the prisoner population from the current population of 6,300 to a level that will range from a low of 6,700 prisoners to a high of 8,500 prisoners. Given the uncertainties that exist, and taking into account the Executive's policies to provide more alternatives to custody, we concluded that we could prudently plan on the basis of 7,200 prisoners. If numbers begin to

exceed that prudent projection, there will be flexibility in the new capacity and time to put measures in place to meet greater demand. Projecting future trends in the prisoner population is not an exact science.

Although overall the level of crime is falling, levels of serious crime remain high. Detection rates are at their highest level since 1939 and the average length of sentences has increased by 40 per cent since 1980. I will never apologise for a criminal justice system that locks up serious and violent offenders for a long time. Those factors are driving up prisoner numbers and are central to the projections that I outlined.

The review concluded that to meet the projected demand for increased prisoner places and replace existing poor-quality accommodation, a total of 3,300 new prisoner places must be provided. A significant programme of public sector investment in the refurbishment of existing accommodation or construction of new buildings can provide about 1,100 of those places within existing Scottish Prison Service establishments, so about 2,200 places in new prisons are required.

The optimum size for a new prison is about 700 places, although the actual size of any new prison will depend on a number of factors, including site availability and location. Prisons that are significantly larger than 700 places can be much more difficult to manage, while smaller prisons are often less economical to run. In order to meet the requirement for about 2,200 prisoner places, we need to plan for three new prisons, although a final decision on the third will be taken in the light of updated projections of the prisoner population.

How should those prisons be provided? As I said, the review considered public, private and mixed options. In order to compare the costs of the options, they have been assessed on the standard Treasury-approved net present value—or NPV—basis over 25 years. Using NPV, an option that would involve expenditure's being incurred over a long time can be compared objectively with one in which a greater proportion of the expenditure is incurred up front.

The NPV cost of three new public sector prisons would be approximately £1.3 billion. The mixed private-public option would cost between £1 billion and £1.3 billion and the wholly private sector option would cost £0.6 billion. The difference between the wholly private sector option and the public sector option is £700 million. No responsible administration can ignore such a difference. We should remember that if we choose the public sector option, there will be £700 million less to spend on other public services.

The public sector and hybrid options would take about 11 years to complete, but the private sector

option could deliver the prisoner places in five or six years. That means a considerable difference in the time scale for ending slopping out. A number of factors lead to that difference. The experience of other private prisons is that the private sector can deliver major building projects more quickly and efficiently than the public sector. A public sector option would require longer for preparation and design. The need for the new prisons is too pressing for such a delay to be acceptable, and we would be failing in our duty if we did not take the route that offered the best value for money.

Some people oppose the use of the private sector in prisons because they believe that it is wrong to entrust the care of prisoners to the private sector. Others argue that the private sector will not be able to deliver to an acceptable standard, but experience in Scotland and elsewhere has demonstrated that the private sector can deliver successfully against very demanding requirements. The objective evidence is clear that the new prison at Kilmarnock was delivered quickly and economically, and is now operating as an effective part of the Scottish prison system. It is beginning to deliver accredited programmes and has the highest out-of-cell time of any Scottish prison.

Although we propose that the private sector would provide the new prisons, about two thirds of prisoners will continue to be housed within establishments that are operated by the public sector.

I turn now to issues concerning the public sector estate. The Executive remains committed to supporting the Scottish Prison Service in its management of the public sector prison estate. As I speak, a refurbished hall is opening today at Barlinnie. That represents investment of another £2.5 million in our public sector prison service and another £35 million of investment is already under way in new house blocks at Edinburgh and Polmont prisons. Further investment in the public sector prison estate is a key priority.

The estates review concluded at an early stage that the majority of the existing SPS prisons ought to be retained, but questions remained about the future of Barlinnie, Low Moss and Peterhead.

There is no doubt that Barlinnie is in an excellent location. It is close to the busiest courts in Scotland and has good transport links. Without Barlinnie we would need to establish a replacement prison near Glasgow. I can make it clear that we propose to maintain the prison at Barlinnie. However, the accommodation at Barlinnie falls far short of modern standards. Public sector investment in substantial improvements to the accommodation at Barlinnie is a high priority and progress has already been made. One of the halls at Barlinnie has been fully

refurbished and another is being partially refurbished. However, refurbishing halls is very costly, and the resulting accommodation is less flexible than new build, so we propose to clear part of the site and build a new house block, which will provide 360 prisoner places. Combined with the investment that has already been made, that will secure the long-term future of the prison with at least 530 places.

The accommodation at Low Moss is also highly unsatisfactory and is nearing the end of its useful life. It is very poor in terms of security and fire risk. Refurbishment is not an option, so it is proposed that Low Moss should close as soon as possible. However, the site is well placed to serve the main population centres in the west of Scotland. It could be considered as the location for one of the proposed new prisons.

Peterhead raises particular issues because its population is made up of long-term sex offenders, although nearly half of all sex offenders are held in other prisons. The accommodation there is also reaching the end of its useful life and all prisoners there have to slop out. Because refurbishment of the buildings, including the introduction of night sanitation, would be a lengthy and extremely expensive exercise, the cost would be very difficult to justify. Given the age of the buildings, refurbishment could not in any case be a long-term solution and so would not represent good value for money. New accommodation could be built on the site but that, too, would be a very expensive process, as a result of being constrained by the need to build while the existing accommodation remained in use.

The fact remains that Peterhead prison is distant from the central belt, from where most of its prisoners come. That makes it difficult for many prisoners to maintain appropriate family and other links, which are important in their rehabilitation. We therefore propose to close Peterhead prison. That would take at least three years to implement.

Peterhead has delivered excellent work with sex offenders in recent years. However, many sex offenders are already housed elsewhere and the STOP 2000 programme, which addresses sex offending, is already being delivered in a number of existing central belt establishments. The role of Peterhead in delivering sex offender programmes will be retained within the public sector.

We estimate that of the current total of about 4,600 SPS staff, about 670 would be likely to be affected by reduction in the size of Barlinnie and the closure of Low Moss and Peterhead. However, the SPS has given a commitment that there will be no compulsory redundancies and no cuts in cash pay for any staff as a result of the estates review. I endorse that commitment. Prison closures will inevitably take time to implement, which will

provide the time to deal with staffing issues at the affected sites.

I will conclude. The key principles that underlie our proposals are: that the estate should have the capacity and the flexibility to cope with the projected number of prisoners; that slopping out must be ended and a definite timetable set that accelerates progress; that the prison estate must be modernised to provide secure prisons that facilitate effective rehabilitation through high-quality programmes; and that the estate must meet the requirements of best value.

The public sector will retain the leading role in our prison system, with elements of best practice being identified and spread throughout the estate, regardless of where it comes from. Our commitment to rehabilitation will be a key part of contracts with the private sector.

That approach is reflected in the proposals that we publish today for consultation. I look forward to what I am sure will be a constructive public debate on a crucial issue.

The Deputy Presiding Officer: The minister will now take questions on the issues that have been raised in his statement. We can be reasonably flexible about time this morning. I have a long list of members who want to ask questions. I invite remaining members who wish to participate to press their request-to-speak buttons now.

Roseanna Cunningham (Perth) (SNP): So much for the Liberal Democrat manifesto before the 1999 Scottish Parliament election and new Labour's promises before the 1997 general election.

It is an amazing coincidence that nearly everything that the minister said in his statement appears to have been in the public domain since last Friday, when every journalist in Scotland who is interested in the matter tried to contact members through their pagers and mobiles. One can assume only that there was a great deal of unofficial briefing.

The minister has had the review since December 2000. Will he explain why—although the review took 13 months from when it landed on his desk to come before Parliament—he is prepared to allow only a 12-week consultation period? That is utterly ludicrous.

Will the minister undertake to ensure that the veil of commercial confidentiality is removed from Kilmarnock prison so that we can all compare the public and the private sector provision of prisons? At present, we are not permitted to know, for example, the number of prison officers at Kilmarnock, the conditions in the medical centre, the extent of staff bullying and the extent of staff turnover. Such information is necessary to

establish a real comparison between the private and the public sectors. Does not the minister realise that Kilmarnock—in terms of cost and of the prison regime—is nothing like an ideal model for the future of the prison service in Scotland?

How on earth does the minister justify the closure of Peterhead prison? The prison system appears to be one in which the reward for success is closure. Dungavel prison, which was as close to being drug-free as a prison can be, was closed. Now, Peterhead, which has an internationally renowned sex offenders unit, will be closed. According to Clive Fairweather, that closure will set back the progress of the sex offenders treatment programme by three years. Where will the offenders in that unit go? I presume that the new recipient community will not be too happy about it.

Conditions in Scotland's prisons need radical improvement. Does the minister realise that most people in Scotland believe that the proposals are not the way in which to deliver that improvement?

Mr Wallace: I did not brief anyone on the proposals and no authorised briefing took place—I gave specific instructions that no briefing should take place. It was not rocket science for the press to eliminate some of the options, but it is interesting that some of the weekend press reports, which Roseanna Cunningham suggested were the result of a briefing, mentioned cost differences of £300 million, whereas the actual figure is £700 million. Those reports were out by a long way.

Roseanna Cunningham asked why the review took 13 months to come before Parliament. During that time, I have given explanations to the Parliament's justice committees, but I am happy to put them on the record again. First, when I received the estates review, I thought that there should be an independent audit of the costings in the review so that when the consultation began, the work had been done. The PricewaterhouseCoopers financial review of the Scottish prison estates review, which is published today, is a robust piece of work and gives details of how the costings were arrived at. I recommend it to Roseanna Cunningham and to the Parliament.

Secondly, the former First Minister, Henry McLeish, Iain Gray and I took the view that the estates review that the Scottish Prison Service originally presented to Scottish ministers considered the private-build, private-operate option and the public-build, public-operate option. We took the view that there ought to be an examination of the case for the private build, public operate option. That examination took PricewaterhouseCoopers considerable time, not least because there appears to be no model of that type anywhere in the world. That is another

reason for the period between the review landing on ministers' desks and today's statement.

Thirdly, significant changes in the Cabinet led to a re-examination of some of the figures. One matter that particularly concerned us—especially Richard Simpson, who has done a considerable amount of work on the matter during recent weeks—is the projection of prisoner numbers. I take no satisfaction from the fact that, with the exception of two jurisdictions in western Europe, Scotland has the highest rate of prisoners per 1000 head of population. It gave me less satisfaction to discover that that figure is projected to rise. Given that the Executive is committed to tough non-custodial alternatives to prison, we wanted to analyse carefully the statistical basis for that figure. The statistical basis of the population projections is published with the review. That issue is important, which is why we took the time that was required to consider them carefully.

Roseanna Cunningham asked about the 12-week consultation period, which is a perfectly normal period for Scottish Executive consultations. Replies that are one or two weeks late will not be ignored or put in a separate pile. Given the amount of material that has been published today, I hope that the debate will be informed and constructive. I accept that Roseanna Cunningham has not had time to absorb all the information, but she did not propose an alternative to our proposals, nor did she challenge the need for three new prisons.

Roseanna Cunningham asked about commercial confidentiality. On 8 March, the contract for Kilmarnock prison, with very few omissions, was made available on the SPS website. I think that it was the first PFI contract to be published in Scotland. She asked about the figure for Kilmarnock's staff turnover, but that figure is in the public domain—the present figure is 14 per cent, compared to about 30 per cent 18 months ago. She asked for other comparators—I will give an example. A 2001 prison survey showed that prisoners feel safer at Kilmarnock than do prisoners at comparable establishments, and that Kilmarnock is in the mid range for prisoner-on-prisoner assaults. Mandatory drug testing applies as much to Kilmarnock as it does to other prisons—recent figures for positive test results show Kilmarnock at 24 per cent, which is almost identical to comparable establishments such as Edinburgh, which is at 24 per cent, or Perth, which is at 26 per cent. Over 90 per cent of prisoners at Kilmarnock do on average a 35-hour working week, compared to 43 per cent at Edinburgh and 70 per cent at Perth. A significant amount of information is available on Kilmarnock.

I salute, as I have on many occasions, the quality of the work that is done by the staff at

Peterhead prison. We are concerned about people not buildings, but Roseanna Cunningham's question suggested a greater concern for buildings than for people. I defy anyone to say that the buildings at Peterhead are fit for a modern prison estate. The STOP 2000 programme is run in other parts of the prison estate. As I made clear, the intention is that Peterhead's role in dealing with sex offenders will continue to be carried out in the public prison estate.

The Deputy Presiding Officer: I will allow questions to run beyond the timetabled 30 minutes because of the extensive list of members who want to ask questions. I emphasise that members should ask questions.

Lord James Douglas-Hamilton (Lothians) (Con): Is the Deputy First Minister aware that his commitment to private prisons is similar to the conversion on the road to Damascus? Has he forgotten that when the draft Criminal Justice Act 1991 (Contracted Out Prisons) Order 1992 was debated and passed on 6 July 1992, he—with Malcolm Chisholm and John Home Robertson—voted against it, as did other leading figures in the present United Kingdom Government, such as Robin Cook, Dr John Reid and George Foulkes? Given the success of Kilmarnock prison, which was confirmed by HM chief inspector of prisons for Scotland, we welcome the minister's astonishing U-turn and the increased use of the private sector.

Will the minister endorse the cardinal principle that, to accommodate the disposals of the courts and children's panels, there must always be sufficient places in prisons for adults and enough places in secure accommodation for children? Will he take into account our view that the dismantling of Peterhead and its sex offenders unit might turn out to be a retrograde step and might lead to an increase in the risk of such prisoners reoffending? If the proposals are merely a cost-cutting exercise, they will not necessarily strengthen the rule of law.

Can the minister tell us what the cost would be of rebuilding Peterhead prison and how that compares with the cost of building a new prison elsewhere? Thirdly, will he acknowledge that there is a continuing need for special units to accommodate the small number of prisoners who disrupt mainstream activities? Finally, will he confirm that the degrading and deplorable practice of slopping out will be ended well before 2005?

Mr Wallace: James Douglas-Hamilton has used the 15 months to undertake some worthwhile research to find out how various people voted in 1992. I do not deny that the view I took was as he said. I have had misgivings about the private sector in prisons, but I have been prepared to listen to the arguments and have visited Kilmarnock to see what happens there. It is not unreasonable to judge, on the basis of the

evidence, that there is good work in the private and public sectors. It would be a sad day if everyone retreated to the bunkers. The Conservative party has experienced enough conversions over the past two years and should not be giving lessons on that subject today.

James Douglas-Hamilton asked about children in secure accommodation. I understand that that matter falls primarily within Cathy Jamieson's responsibilities. The numbers in relation to that issue are being considered. However, today we are talking about the prison estate for adult male offenders, not children in secure accommodation.

I made it clear that the options for Peterhead were examined closely. The existing building, with its stressed concrete, cannot be adapted. Adaptation would not do the job properly and would not last—the building would have to be refurbished again relatively soon and that would not represent good value for money. We considered the possibility of building on the site at Peterhead but, as I said, there are difficulties with that. Trying to build a substantial new prison there while running the existing prison would be very difficult and would slow down the process.

If we were to build a 700-place prison at Peterhead, that would accommodate considerably more prisoners than are currently accommodated there. It would not only house people on the sex offenders programme; it would have to accept other prisoners, many of whose families would have to travel considerable distances to the north-east of Scotland. Questions would also arise about the future of Craiginches prison in Aberdeen, in the light of the fact that the obvious place for short-term prisoners from the north-east would be the bigger prison at Peterhead. For those reasons, we decided that the future of Peterhead was not an option.

Nevertheless—I have said it before and I say it again—we acknowledge the quality of the work that is carried out at Peterhead. It is also important to recognise that more officers in other parts of the prison estate are trained in the STOP 2000 programme. That expertise must be retained in the public sector so that such valuable programmes can continue to be delivered to sex offenders.

James Douglas-Hamilton's final question was on slopping out. If we go down the road of having three prisons in the private sector, slopping out can be ended in five to six years. If we choose any other option, that time could extend to 11 years. I am determined to end slopping out. There is a contradiction in James Douglas-Hamilton's question. If we keep Peterhead, we will not end slopping out. I have considered all the factors and I believe that what we are proposing today will end slopping out as early as is physically possible.

Pauline McNeill (Glasgow Kelvin) (Lab):

Although I acknowledge the poor state of the prison estate and the Executive's desire to change it, how can the Minister for Justice expect Parliament to accept that the private sector can build and run prisons as cheaply as he has described this morning? I think that Parliament will agree that that is beyond belief. Can the minister assure Parliament that he will not accept any proposals that are based on a reduction in the terms and conditions of prison officers and other staff? Furthermore, can the minister tell us how the private sector can be trusted to deliver quality rehabilitation programmes if it has little expertise in correctional and rehabilitation work when compared to the Scottish Prison Service?

Mr Wallace: Pauline McNeill asks how we can justify such a wide difference in costs. The vastness of the difference is one of the reasons for the delay. We wanted to ensure that the figures stood up to robust analysis. I invite Pauline McNeill to read the PricewaterhouseCoopers report, which gives some of the reasons for the difference.

In getting public sector comparators for the costings, we accepted that the proposal would involve a modern prison in the public sector with some of the operational advantages that that gives. A fair comparison was made between the public sector and the private sector in terms of buildings. The various documents set out the differences in operational costs, bit by bit. Even if a 20 per cent reduction in operating costs were made—which, as the report says, would lead to significant staff reductions in the public sector—there would still be a considerable difference between the public and private sector options. It is not intended that there should be any transfer of staff from the public sector to the private sector. I have given the undertaking and confirmed the SPS's undertaking that no one in the state sector will be made compulsorily redundant or receive any reduction in cash wages.

Kilmarnock prison delivers a range of rehabilitation programmes. Accreditation is given not only for a programme, but for its delivery on a specific site. When a prison opens, it does not have the track record immediately to get accreditation, but accreditation is now coming through for programmes at Kilmarnock. The SPS management monitors the delivery of those programmes in Kilmarnock and there is close scrutiny of what is being delivered. I emphasise the fact that our commitment to rehabilitation will be a key feature of the contracts that will be let. It is important that, in any prison system—whether in the public or private sector—we stress the importance of work that leads to rehabilitation of offenders.

George Lyon (Argyll and Bute) (LD): It is clear that the Scottish Executive and the Minister for Justice have spent considerable time investigating the differences between the two models before coming to a decision. Nevertheless, the figures must have a sound basis. The decision must be based on best value and £700 million is a huge cost difference. That amount of money could build many new schools and hospitals.

I have two questions for the minister. First, can he tell us why prison numbers are rising and are projected to continue to rise? Secondly, will he elaborate on how slopping out can be ended more quickly under the option that the Executive has chosen?

Mr Wallace: George Lyon correctly points out that the difference in cost is such that, if we were to forgo that £700 million, we would have fewer resources to spend on the health service, schools and public transport. The £700 million would not be on a straight line over 25 years, because of the bulge that there would be at an early stage for capital build. That would impact significantly in the years that are not too far ahead.

I have indicated why slopping out would be ended sooner under the private build-and-operate option. The private sector has consistently shown—not only in Kilmarnock but in England, where eight private prisons have been built and delivered—that it delivers more quickly. The truth of the matter is that, since Shotts prison was built, there has been no public build of a prison in Scotland. The SPS has no design team and to set one up would be costly and time consuming. The resources that are available to the SPS to manage a public sector prison build would mean that it could not deal with more than one prison at a time. It takes considerable time to commission prisons in the public sector. However, in the private sector, a combination of reasons leads to a different time scale. When the contract starts, the prison must be in a position to go ahead immediately.

We are serious about delivering the ending of slopping out and I invite anyone who has a better configuration that would end it earlier to come forward. I would be more than delighted to look at such a proposal. However, I assure Parliament that the issue has been looked at from every angle. We believe that the proposals in the consultation document represent the best and quickest opportunity to fulfil a commitment to end slopping out in Scotland's prisons.

Michael Matheson (Central Scotland) (SNP): The minister advised that about 670 staff will be affected by the reduction in size of Barlinnie and the closure of Low Moss and Peterhead but that there will be no compulsory redundancies. Can he explain what will happen to those staff? Will they be absorbed into the current estate? Will he also

advise us whether the staff in the new prisons will be on a similar rate of pay to that of the current public sector staff? Will the ratio of prison officer staff to prisoners be the same in the new private prisons?

Mr Wallace: I confirm again that there will be no compulsory redundancies among those 670 staff. However, we are talking about something that will happen over three or four years, so there will be a natural loss in numbers. There will also be redeployment within the existing public sector prison service. Following the closures of Penninghame, Dungavel and Longriggend, it was possible to absorb the staff and there were no compulsory redundancies. The contracts for new prisons have not been tendered, so questions about staff ratios are at an early stage.

Mr John Swinney (North Tayside) (SNP): Can we have a guarantee on that issue?

The Deputy Presiding Officer: Order.

Mr Swinney: Will there be different rates of pay?

Mr Wallace: I cannot say that there will be the same rates of pay because, as members know, there are different rates of pay in the private sector. *[Interruption.]*

The Deputy Presiding Officer: Order. If Mr Swinney wants to ask a question, he can, like other members, press his button.

Mr Wallace: We require of any private prison contract that those in custody are securely maintained and that numerous programmes, including education, are delivered. Those programmes are monitored and the company faces penalties if it does not deliver on those specific requirements. When looking at pay, we compared estimated pay levels in private prisons with comparable existing pay levels in the public sector. Those levels were for important professional jobs, but the public sector pay levels were in the same range as the estimated levels for private prisons.

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): Will there be an opportunity to extend Kilmarnock prison? If so, will that provide an opportunity to renegotiate the current contract, thereby addressing the problems of pay that were raised with the minister when he recently visited the prison? Does the minister agree that lessons have been learned from the first private prison contract, which was for Kilmarnock prison? Does he also agree that a review of that contract, taking staffing levels into account, would address the concerns of many members, including my concerns as the constituency member for Kilmarnock?

Mr Wallace: I recall that Margaret Jamieson accompanied me on my visit to Kilmarnock prison. On the contract, lessons have been learned and those lessons will be reflected in the contracts for new prisons. It is also possible, within parameters, to change the priorities of the various programmes that are delivered at Kilmarnock. However, it is not possible to renegotiate the contract fundamentally. The SPS does not set the rates of pay at Kilmarnock prison.

The possibility of extending Kilmarnock prison was raised with us late in the day. I do not want to postpone the consultation to examine that possibility in detail. However, if such a proposal is prepared during the consultation period, we would consider it.

Phil Gallie (South of Scotland) (Con): I generally welcome the review. I regret the time that it has taken to bring it to Parliament, although I perhaps understand the reasons for that. Given the answers that the justice committees received in the first two years of the parliamentary session, why has the forecast number of prisoners risen so steeply? I seem to recall that, when the budget was being set, the number was considered to be declining, which concerned the committees.

The minister referred to longer prison sentences. One problem that prison staff face is that those sentences are reduced by early release, which does not give staff the time to do rehabilitation work with prisoners. Does the review deal with that?

The minister referred to the quick build of the new private sector prisons. Does he accept that there is also swift commissioning? Does he accept that the commissioning of Kilmarnock prison was highly successful, compared with what happened with Shotts prison in the 1980s, when commissioning was followed by a series of disruptions?

Will the minister re-examine the drugs situation in Kilmarnock prison? Instead of giving out general criticism, perhaps he will praise the Kilmarnock staff, because the higher than average throughput of remand and short-term prisoners creates a situation in which drugs are much harder to deal with.

Mr Wallace: I will take Phil Gallie's points in turn. Projections of numbers are not accurate predictions or precise science. The further one goes more than two or three years ahead, the more difficult it is to make accurate projections. We are conscious of that. Phil Gallie can study the details, as we published the basis of the statistical projections.

The numbers have increased significantly in the past 12 to 18 months. There is no apparent reason for that, but several points must be considered.

There is a higher detection rate now than there has been at any time since the second world war. We are focusing on dealing with serious violent crime and drugs crime. For example, the Scottish Drug Enforcement Agency is becoming more effective in targeting big dealers, who tend to get longer prison sentences. Strathclyde police's spotlight initiative for safer streets has been effective in finding people who carry offensive weapons, which is also the kind of crime that attracts higher sentences. Therefore, the number of prisoners who are serving longer sentences is increasing. We must take account of that fact. However, much is being done to promote non-custodial sentences for less serious crimes, for which custody is often inappropriate.

Phil Gallie asked about commissioning. He is right to point out that there were many difficulties in the commissioning of Shotts prison, whereas the period from the signing of the contract to the opening of Kilmarnock prison was relatively quick. The chief inspector of prisons for Scotland said in his 2000 report on Kilmarnock prison:

"Following an initial, turbulent period, HMP Kilmarnock has settled quickly and is enjoying a period of stability, due to a combination of generally sound preparation, co-operation with other parts of the SPS and a great deal of hard work and determination."

Phil Gallie also mentioned drugs. I did not think that I was being critical of Kilmarnock in terms of drugs. I indicated that mandatory testing for drugs finds about the same incidence in Kilmarnock as in other comparable establishments such as Edinburgh and Perth. I gave that figure not to criticise in any way, but to show that the problem is not peculiar to the private sector. In comparable public sector prisons, the figure is much the same. It is important to note that in between 80 and 90 per cent of prisoner receptions in Scotland's prisons there are indications of current drug abuse. The fact that that is driven down to 24 to 25 per cent in prisons is a remarkable achievement of prison officers and the work that is done in Scotland's prisons.

Henry McLeish (Central Fife) (Lab): The statement is important and I sympathise with the Minister for Justice as he tackles the problems, some of which have been neglected for many years.

The statement was about the public interest, public safety and having a modern, efficient and effective penal system in the 21st century. Against those criteria, I will pose two or three questions to the minister. I hope that members can unite around the debate for the next three months, because what we debate and discuss will be crucial to the people of Scotland, not to the politics of the chamber.

One of the difficulties that Jim Wallace faces and

that I faced, which is why the report has been delayed, is that the differences between the figures for public and private provision are staggering—£1.3 billion as against £700 million. At a time when the public are concerned about comparisons, I ask the minister to ensure that we revisit the figures over the next three months. I do not think that the Scottish Prison Service is aware of the innovations and changes that are taking place in private finance initiatives and public-private partnerships. We should forget the issue of private versus public and consider the costs. It is important to ensure that the figures are absolutely right.

My second point is about Peterhead prison. That prison has an award-winning sex offenders treatment programme. It provides jobs and has public acceptability in the environs within which it is located. Over the next three months, should we consider the possibility of a new prison there? I do not think that concentrating everything in the central belt makes sense, given that the Parliament serves the wider interests of Scotland. I would welcome comments on that.

I turn finally—thank you slightly for your indulgence, Presiding Officer—to the projection of prison numbers, which is absolutely crucial. I make a plea to the minister about Cornton Vale prison. There are some serious offenders in that prison, but the overwhelming majority are there not because they have stolen or have not paid fines, but because they are involved in drugs. Given the situation in Sweden, Finland and Denmark, does the minister agree that we have to make a powerful push to reduce in the prison population the number of people who could be dealt with outside prison? Does he agree that we should ensure and demand that those who are in prison are there because they have received high tariffs for murder, rape or serious violence? If that issue were tackled over the next three months, I am sure that a positive picture could be presented to the public about difficult circumstances.

The Deputy Presiding Officer: I invite no one to take that indulgence as an example to be followed.

Mr Wallace: I thank Henry McLeish for his questions and for taking a keen interest as First Minister in the work that was being done on the prison estates review.

As I indicated, we commissioned the PricewaterhouseCoopers report because when we saw the huge difference between the figures for the private and public sector provision options, we found those figures barely credible. I ask all members to consider carefully what is said in the consultation document and the PricewaterhouseCoopers study, which shows what factors have been taken into account and

where many of the differences in costs arise.

During the consultation period, it is open to anyone to examine the figures; if anyone believes that anything has proceeded on a false premise, I ask them to draw that to our attention. The figures have been pored over so often that I would be greatly interested if anyone were to find serious flaws in them. That is not to say that we are not open to that possibility, which, if it were to be highlighted in the consultation, I would have regard to.

I recall the time when Henry McLeish and I met Alex Salmond in January last year. We gave him an undertaking that we would take into account the importance of the valuable work on sex offending that is carried out at Peterhead. I assure Henry McLeish and the Parliament that that was the subject of considerable discussion between the SPS, Her Majesty's chief inspector of prisons and me.

Let me put Peterhead in context. It has targets for 91 prisoners to complete skills programmes, 40 prisoners to complete cognitive skills programmes and 35 prisoners to complete sex offenders programmes. Sex offenders programmes are being carried out at Barlinnie prison and in a modified form at the young offenders institution at Polmont. It is important to point out that those programmes are not being delivered solely at Peterhead. In the light of what the chief inspector of prisons said to me, which is partly what led me to make the statement today, the work that Peterhead plays in the sex offenders programme will continue in the public sector. I am happy to reiterate that.

Henry McLeish has a long-standing interest in Cornton Vale and the plight of women offenders. He is absolutely right to point out how many of them are in prison because of drug misuse. The estates review does not examine the women's prison at Cornton Vale, but I remind Henry McLeish that the report by the ministerial group on women offending, "A Better Way", was published earlier this month. It suggests a three-stage approach to tackling women's offending, focusing on prevention and early intervention, providing a framework of community disposals and working with women in Cornton Vale to address the problems of addiction and offending behaviour. Much is going on to tackle the important issue of women offenders and to try to treat the real problems, rather than relying on incarceration.

The Deputy Presiding Officer: I am beginning to get pleading notes and there are a lot of members on the list of those who wish to speak. I ask members to make their questions snappy.

Donald Gorrie (Central Scotland) (LD): I will press the minister on the question of alternatives

to custody. Will he assure us that adequate resources will be made available for providing services and that any obstacles that are alleged to discourage sheriffs from putting people into alternatives to custody will be addressed seriously? Will he assure us that whatever we can do legally to make use of such alternatives will be encouraged? From the information that I have seen, short sentences seem to be a total waste of time, if not harmful.

Mr Wallace: I give Donald Gorrie the assurance that he seeks. We set considerable store by the development and resourcing of alternatives to custody. The fact that we will roll out electronic tagging throughout Scotland, that we have drug treatment and testing orders and that we have established drug courts in Glasgow, which we will extend, is indicative of that. The criminal justice bill, which is likely to be published next week, will also address a number of ways in which non-custodial sentences can be implemented. The budget for criminal justice social work has been increasing—it is funded 100 per cent by the Scottish Executive.

The important point to bear in mind is that the nature of short sentences—I accept that some people would be better off outside prison—tends to increase the number of receptions in prison. There are some 35,000 receptions a year—albeit that the current daily population is in the range of 6,200. A substantial reduction in the number of custodial sentences would be needed to impact on the daily population.

The base load—if we want to call it that—is increasingly made up of prisoners who are serving longer sentences for more serious crimes. I assure Donald Gorrie that our commitment to securing tough but worthwhile alternatives to custody is as strong today as it has ever been.

Stewart Stevenson (Banff and Buchan) (SNP): I thank Henry McLeish warmly for his support for Peterhead prison. Will the minister take account of that support? As it is based on a full understanding of all the issues, beyond what has been published today, he should give considerable weight to it.

Does the minister recall the answer to written question S1W-17717, which showed that the lowest figure for sickness per head among staff in the SPS is at Peterhead? Does he recall the answer to written question S1W-17716, which showed that the highest build-up of time off in lieu is among staff at Peterhead? Does he accept that those two answers show the commitment of staff at Peterhead?

Does the minister recall the answer to written question S1W-17669, which shows that Peterhead has the lowest level of self-harm in the SPS? Does

he recall the answer to written question S1W-19663, which shows that there have been no reports of complaints from prison visiting committees about the treatment of sex offenders in the SPS? Is he aware that prisoners' families feel safe visiting Peterhead, whereas elsewhere they are abused and attacked?

Is the minister aware of the answer to written question S1W-12540, which showed that the price of keeping a prisoner in Kilmarnock was £23,000? Is he aware that the cost per prisoner at Peterhead has been shrinking over the past few years and that, after rebuild, it would be £19,800, whereas the SPS target continues to rise year on year and is £32,800 for this year?

Is the minister aware that more than 50 per cent of prisoners have offended against their own families and that that is an adequate justification for keeping prisoners away from their families?

The Deputy Presiding Officer: Make this the last question please, Mr Stevenson.

Stewart Stevenson: During the three years when the STOP 2000 programme would be disrupted by any move from Peterhead, will the minister meet the families of every child who is molested, every woman who is raped or any victim of any other sexual offence that happens as a result of the wrecking of the rehabilitation programme that would be caused by the closure of Peterhead prison and the transfer of that programme elsewhere?

Mr Wallace: I acknowledge that Stewart Stevenson has an important constituency interest and that it is proper that he should state the case for his constituency as best he can. However, I do not think that he did so in that contribution; he overstated the case considerably. I have written to him to offer to meet him to discuss the matter in greater detail.

I am aware of the written answers to which he referred because I answered most if not all of the questions. On more than one occasion today, let alone in the past, I have paid tribute to the valuable work that the staff at Peterhead do. I do not retract one iota of what I have said in their praise.

I have attempted to show that we examined the options for maintaining a prison at Peterhead, but that we did not believe that those options could be sustained for a number of reasons. I do not want to repeat what I have said. The reasons are set out in the consultation document and I have explained them at some length.

Stewart Stevenson said that there may have been family involvement in 50 per cent of crimes. That means that, in 50 per cent of cases, there is no family involvement. In those 50 per cent of

cases, the families were not the ones who were sentenced to prison. Although that is by no means the determining factor, it is a factor in our decisions.

I assure the Parliament that the issue of Peterhead was thoroughly pored over. We came to conclusions, which are set out in the consultation documents. Stewart Stevenson and others from the north-east can make their representations, which will, of course, be considered. However, I am satisfied after exhaustive consideration that it is possible to deliver the STOP 2000 programme in other parts of the SPS. Indeed, that is already being done. It will continue to be delivered in the public sector of the prison service.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): I welcome the assurances that I understand have been given on staff protection following any closure. The minister's statement necessarily touched on prisoner rehabilitation. Does the minister acknowledge the considerable forbearance of my constituents in Bishopbriggs and their acceptance of the remand and short-term prison facility at Low Moss? Will the minister assure me that he will consider not only the whole prison estate but the wider public estate, including any opportunities for land swap, not least because of the challenges that might arise on planning permission for any early build?

Mr Wallace: I welcome what Brian Fitzpatrick said, not least his mention of rehabilitation. I know his constituency interest in Low Moss. As with Stewart Stevenson, I have offered to meet Brian Fitzpatrick to discuss the issues in greater detail.

I indicated in my statement that Low Moss is a possible candidate site for a new prison. However, I am also well aware that planning permission would be required. Those issues can be considered in far greater detail in the weeks and months ahead. I look forward to discussing them with Brian Fitzpatrick.

Mr David Davidson (North-East Scotland) (Con): The minister said in his statement that to build three new prisons through the private sector would save the public purse some £700 million. He also said that half of the sex offender programmes were being run outside Peterhead.

Does considering the effect of closure on the economy of Peterhead not change the way the minister does his calculations? He mentioned costs and savings to the public purse. What will be the cost of closing Peterhead, which will be the third Government-induced hit on the Peterhead economy? The first was the running-down of RAF Buchan, then there was the fallout of the decommissioning of fishing vessels and now we have the closure of Peterhead.

There will be a cost to the public purse. Has the minister considered taking the other sex offenders, putting them with those who are in Peterhead and creating a new centre of excellence in Peterhead, which might be more effective?

Mr Wallace: Even if we did so and built a new prison of 700 places, some short-term prisoners, possibly from far away from the north-east, would almost inevitably have to be housed in Peterhead. The solution is not as simple as putting every sex offender in Scotland in Peterhead.

The economic impact on Peterhead was, of course, raised and considered in the course of our deliberations. Aberdeenshire Council, as Mr Davidson is no doubt aware, is already doing work on the economic impact of Peterhead on the local community, not only in staffing but in resourcing various provisions for the prison. I have given a clear steer to the SPS to co-operate fully with that study. I fully expect that Wendy Alexander's enterprise and lifelong learning department will engage with Aberdeenshire Council in examining any economic impact of the decision on Peterhead and the surrounding area.

I remind Mr Davidson that the closure is likely to be phased and is likely to take three to four years to come to pass. That time can go quickly, but we are conscious of the impact and already want to engage in addressing it with the local authority in particular.

Karen Whitefield (Airdrie and Shotts) (Lab): The minister is no doubt aware that there are real concerns about the involvement of the private sector in the SPS. Will he therefore confirm that the public sector will remain the main provider of prison services in Scotland? Will he also confirm that the best practice that has already been developed at public sector establishments such as Shotts in my constituency will be adopted in any new establishments? And will he confirm that any staff who choose to transfer to new establishments will do so with their rights, terms and conditions fully protected?

Mr Wallace: I confirm that the public sector of the Prison Service will retain the lead. About two thirds of prisoners will still be held in custody in public sector prisons. Members should not overlook, as perhaps they have done so far in their responses to my statement, that I also announced that 1,100—that is one third—of the places that we need would be provided by the public sector.

I visited Polmont young offenders institution to see a £17-million house block that has been put up there. At Edinburgh prison, £18 million is being invested in a house block. I have also announced a new house block for Barlinnie. In addition to that, there will be work on other prisons. I am aware that Perth prison requires refurbishment, as does

the YOI at Glenochil.

I can give Karen Whitefield the reassurance that there will be a substantial investment in the public sector. Where there are examples of good practice in the public sector, we want to spread that. I have been to Shotts prison and was very impressed by what I saw there, not least by its employment programme. Whether that good practice comes from the public sector or the private sector, we are determined to improve the quality of the work done. Great strides forward have been taken in recent years, but we can always do better.

It is not anticipated that there would be a transfer of staff from the public sector to the private sector, and I can assure Karen Whitefield that there will be no compulsory redundancies among public sector staff as a result of these measures and no cuts in their cash pay.

Christine Grahame (South of Scotland) (SNP): Is the minister aware that, in evidence given to the Justice 1 Committee on Peterhead prison—which we are visiting again on Monday—it was plain to all that the success of the sex offenders programme was to do with the culture in the prison and with the dedication and experience of the 240 staff, who are now extremely worried people? It was made plain to us by a senior academic that that programme would not transfer elsewhere.

The minister referred to the governor of Barlinnie. In evidence to us, he said that to run a sex offenders unit in Barlinnie would be like running a prison within a prison and would be extremely difficult. Why does the delivery of what is an excellent programme seem to count as nothing against bricks and mortar? If a new prison for 700 is to be built, does that mean that the 250 sex offenders will be mixed with other prisoners, or does the minister propose to do what the governor of Barlinnie describes as almost impossible?

Mr Wallace: I am aware that there are arguments for monocultural, homogeneous prisons; I am also aware that they are not, by any stretch of the imagination, universally accepted. That is an issue. We will obviously think very carefully about where the core work now done at Peterhead is transferred.

I cannot accept that that work can be done only at Peterhead. To date, 39 sex offenders have completed the STOP 2000 programme, 33 of them at Peterhead and six at Barlinnie. There are a further 43 offenders at Peterhead who are undertaking the programme, and seven at Barlinnie; 10 young offenders are on an adapted course at Polmont. Eight establishments have staff available to deliver the programme. Of those, 16 staff, including nine officers, are based at Peterhead, with 42 staff, including 16 officers,

based at the seven establishments in the central belt. There are officers who are already trained to deal with the programme and who are already in the SPS but not based at Peterhead.

While I have every respect and praise for the dedication of the officers at Peterhead, I do not think that we should demean the work done by prison officers in dealing with sex offenders in other parts of the public prison estate. I met some of them in Polmont on Monday, and they are doing a good job. It would be regrettable if the message that came out of the Parliament was that their contribution is not valued.

Scott Barrie (Dunfermline West) (Lab): It is no secret that Labour members, and I am sure others, are cautious about the involvement of the private sector in the prison service. Some, like me, would go a bit further, and suggest that there is a moral argument against such involvement, which requires to be considered alongside that of value for money.

Is the minister satisfied that the experience of Kilmarnock prison to date shows the correct way forward? Can he assure me and other members that the vital work of rehabilitating prisoners prior to their release, which is as key an ingredient of imprisonment as pure containment, will not be compromised by the Executive's proposals? How exactly will the Executive ensure that rehabilitation, and not simply containment or indeed profit, will be the main priority?

Mr Wallace: I certainly understand Scott Barrie's concerns about and approach to the use of private prisons. As Lord James Douglas-Hamilton pointed out, I voted against them myself in the House of Commons in 1992. I hope that I am not totally misrepresenting the former Moderator of the Church of Scotland, Andrew McLellan, in saying that, after his visit to Kilmarnock prison, he found that his prejudices were not confirmed. I found that my prejudices were not confirmed when I went to Kilmarnock.

I recognise and treat with great respect the anxiety and caution that is felt among Labour and other members. I would like to think that some of what motivates that support for public services is the same motivation that makes us want better investment in the health service, in schools and in public transport. Quite frankly, if we were to go down the public-build, public-operate road for prisons, there would be significantly fewer resources for investment in those other important public services.

Scott Barrie is absolutely right to press the point about rehabilitation. I consider that to be one of the key functions and objectives of the prison system. It is therefore important that that takes place in the private sector, as it does in the public

sector. One way in which we can help deliver rehabilitation in the private sector is by stipulating in the contracts what targets have to be met. It is not only a matter of setting those rehabilitation targets—such targets are very closely monitored. I can assure members, and Scott Barrie in particular, that when those contracts come to be drawn up, the issue of rehabilitation programmes will be carefully examined. We want to carry through our commitment to rehabilitation at that time.

Robert Brown (Glasgow) (LD): Could the Deputy First Minister give the Parliament a flavour of the criteria that will be used for the selection of sites for the new prisons? Unlike Peterhead, they are unlikely to be greeted with overwhelming enthusiasm by the local communities next to which they are sited. Can he assure us about the consultation that will take place?

On the public-private dispute, can the minister give the Parliament a flavour of the extent to which the difference between the two sets of figures that he has quoted—which have been regarded, to use Henry McLeish's word, as staggering—is endemic to private and public provision respectively? To what extent might the different practices that have developed be regarded as transferable between the two sectors?

Mr Wallace: On the selection of sites, I have already indicated that Low Moss may well be a candidate site. The Prison Service has been looking for other sites. Be they public build or private build, sites are required. For obvious reasons, we do not wish potential developers to get wind of where the sites are and to step in ahead and make the public purse pay a high premium. I do not have the information about what sites have been considered. From what I have said, somewhere in central Scotland would, for obvious reasons, appear to be the likely place. Full planning procedures will, of course, apply. The local community will have adequate opportunity to make their case known at the planning stage.

On the matter of comparisons, I draw the attention of Robert Brown and the Parliament to paragraph 64 onward in the consultation document. It gives a number of reasons for the cost differences between the various options. On running costs, it is fair to say that some of the difference between the figures has been because of practices that have developed over the years. The Parliament will remember that the changing of attendance patterns last year was not easily achieved. We allowed for making a reduction of some 20 per cent and, even then, the costs were considerably different.

I commend to members a careful read of the consultation document and of the PricewaterhouseCoopers review. Frankly, I did

find the difference between the figures to be staggering, as Henry McLeish said. One of the reasons why this has taken so long is that we wanted the figures to be gone over again, to ensure that they stood up. I believe that they do stand up, and the reasons for them are set out in some detail in the consultation document.

Richard Lochhead (North-East Scotland) (SNP): I think that the Deputy First Minister's statement has delivered a blow to the north-east of Scotland, to the community of Peterhead, to prison staff and to the justice system itself. As someone who represents the town of Peterhead as a regional list member and as someone who lived there for a number of years, I can tell the minister that the prison plays an enormous role in the local community. As Henry McLeish and others have said, that must be taken into account.

Has the Deputy First Minister spoken to or consulted any authority in Scotland, apart from his own civil servants, that has indicated support for closing Peterhead prison? Can the Deputy First Minister today give the chamber an assurance that the consultation to be carried out over the next three months will be genuine, and that if the case for retaining Peterhead prison remains overwhelming, he will give a guarantee to save it?

Mr Wallace: First, I would like to thank Richard Lochhead for the moderate, but effective, way in which he advanced the case for Peterhead. I have given a number of the reasons behind the decision to close Peterhead. I do not know how often I can do this, but I repeat that nothing that I have said today detracts from what has been achieved at Peterhead. However, we do not believe that it is the only place where that work can be done.

Obviously, evidence and contributions that we receive during the consultation will be considered. However, I want to make it clear that our proposal has not been made lightly. The issue has been considered with very great care indeed. I believe that what we have proposed today is far from being damaging, as Richard Lochhead says it is, to the Scottish criminal justice system. By ensuring that we have a modern prison estate, we can end slopping out and we can promote effective rehabilitation of offenders in the kind of prison environment that is conducive to that, rather than in outmoded Victorian buildings. That will be a positive contribution to the development of the Scottish criminal justice system.

Janis Hughes (Glasgow Rutherglen) (Lab): The Deputy First Minister has already answered a question on sites. He did not mention specific sites in his statement, but I am sure that he is aware that various rumours have circulated in the past year concerning potential sites—particularly in the central belt and, indeed, in my constituency of Glasgow Rutherglen. Notwithstanding the

minister's comments about commercial confidentiality, will he tell me whether it will be possible to include in the consultation process an opportunity for communities in which sites have been identified to play a part?

Mr Wallace: I do not know which sites have been considered; I deliberately sought not to find out so that, if challenged about a particular site, I could quite genuinely say that I did not know. It would not be helpful if one were to say that there was to be a site in, for example, Cambuslang or Rutherglen. Developers might rush out to try and buy it before the Prison Service got in. I am certainly aware of rumours, but I do not know whether they are correct. Until sites are purchased, it is not in the public interest to identify them.

I assure Janis Hughes that, when it comes to the planning process, we will ensure that there is adequate opportunity for the local community to be engaged and to make its views known. I acknowledge the sensitivity that, for obvious reasons, surrounds any proposal to build a prison in any particular area. That is why the planning process will be so important.

Mr Gil Paterson (Central Scotland) (SNP): We are all having great difficulty with the minister's figures. I have not had the benefit of reading the report, but I wonder whether the minister is costing screwdrivers and hammers at 90 quid a throw and wheelbarrows at the cost of a brand-new Jaguar.

The minister has referred to the unit at Peterhead and to the treatment that is taking place in other prisons in Scotland. However, the point that many people want the minister to listen to concerns the uniqueness of the unit at Peterhead and the work that is done there in regard to re-offending. What impact will there be on that work if the unit at Peterhead is done away with? I do not think that anyone believes that the unit can be replaced anywhere else. Given that it has already taken 10 years to get the world-renowned unit in place and working well at Peterhead, how and when could it be re-established elsewhere in Scotland?

Mr Wallace: I indicated that the closure of Peterhead would take some three or four years, which will allow a considerable time to ensure that alternative provision in the public sector of the prison service is made available and is properly established. We have to ensure that officers other than those at Peterhead are delivering that work.

On the first part of Gil Paterson's question, we asked PricewaterhouseCoopers to go over the figures because I wanted to ensure that the debate took place on the basis of comparing apples with apples. That is why net present value has been used as the basis of comparison. As Gil

Paterson will recognise, cash flow would differ if everything were done in the public sector. There would be an early bulge in the public sector route because of the capital needed to build a prison, whereas the money is spread more evenly if a fee is paid to a private contractor. Net present value is the Treasury-approved and most widely accepted way to ensure that there is a fair and proper comparison between the two options.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): When the state imprisons its citizens, should it not keep direct responsibility for them? Could the minister outline how that moral responsibility is maintained under his proposals?

Mr Wallace: It may not be widely known, but the Scottish Prison Service has a senior officer—in the rank of a governor—in place at Kilmarnock. He has two important functions: to monitor whether Kilmarnock prison is delivering according to the targets that have been set and to perform disciplinary and other statutory functions in relation to prisons. Disciplinary action taken against prisoners in Kilmarnock is carried out by the public Prison Service rather than by the contractors.

Dr Sylvia Jackson (Stirling) (Lab): I listened to the response that the minister gave in relation to Cornton Vale and I understand that that will be dealt with separately. However, I am conscious of the great pressures on the system when prisoner numbers increase. Can the minister tell us when we will have greater detail on alternative strategies such as the time-out centre? What is the projection for the reduction in prisoner numbers? When can the minister give me that information?

Mr Wallace: I will elaborate on what I said earlier about female prisoners. It is our intention to create time-out and independent-living centres, which are far more appropriate for dealing with many women offenders, whose problems are often drug related, rather than being those that require custodial sentences. Richard Simpson tells me that, by the end of the year, we will be in a position to see how that can be developed.

The main prisoner population projections do not distinguish female prisoners, because the total number of female prisoners is relatively small. However, I accept that, for various reasons, the number of women in prison has been increasing. There are several women in our prisons who have been convicted of far more serious offences and alternatives to custody are not always appropriate. I should also point out that the number of fine defaulters in prison has decreased. I assure Sylvia Jackson that Richard Simpson and I accord considerable priority to the issue of female prisoners. The time-out and independent-living centres are certainly part of our programme.

Bill Aitken (Glasgow) (Con): In the light of the concern expressed regarding the future of Peterhead prison, does the minister accept that it might help if he were to detail how the costs of a new-build prison at Peterhead would be more expensive than elsewhere? That seems a likely proposition because of the location, but it would help if we were to have the figures in writing.

The minister neglected—inadvertently, I am sure—to answer Lord James Douglas-Hamilton's question about segregation units, which are necessary for prisoners who disrupt the system. Will the minister confirm that the requirement for such units has been included in future planning?

Mr Wallace: The prison estates review has not gone into the detailed planning of individual prisons. In most prisons—I think that I am safe to say all prisons—there are units where people can be segregated if operational needs require that to happen. I imagine that the situation would be no different in any prisons that it is proposed would be built. I will certainly undertake to write to Bill Aitken—and publish the letter in the Scottish Parliament information centre—about the particular build and refurbishment options that we considered for Peterhead prison.

I cannot swear blind that we have all the particulars down to pounds and pence. I have tried to indicate that there are other considerations. Not least is the fact that if a 700-place prison was to be built in Peterhead, there would be issues about how that prison would relate with the existing one, which would have to be taken down. It might also mean that there would be prisoners from the north-east who would have to be housed in Peterhead. That raises questions about Craiginchies.

The question is not solely one of money, but a refurbishment of Peterhead would be a sticking-plaster solution, if I can put it as bluntly as that. I do not believe that that would represent proper value for money.

The Deputy Presiding Officer: Minister, at this stage we have passed the time when I had intended to close the meeting. There are three members remaining who have sat for an hour and a half. It has been a marathon session for them as well as you. Are you willing to take the further questions?

Mr Wallace: Yes.

Bristow Muldoon (Livingston) (Lab): Thank you, Presiding Officer. You have taken a wise decision to extend the debate because of the interest in the statement.

I have two questions for the Deputy First Minister. The first question is about location. I was concerned about the response to Janis Hughes's

question about the involvement of communities in the decision-making process. It is a problem if communities are not given the opportunity to contribute to that process until after sites have been purchased. Sites will already have been purchased by the SPS and the ultimate arbiters on the planning process will be the Executive. Can the minister reassure me that any consultation on locations will be meaningful, as expansive as necessary and not restricted to the normal planning process?

Secondly, I reiterate members' concerns about the question of the public-private mix. As the minister has suggested, I will read the document with great care over the forthcoming months. For there to be such a variance between the figures for public and private provision, some assumptions must have been made about levels of pay in private prisons and about levels of staffing compared to prisoners. Will the minister indicate what those assumptions are?

Mr Wallace: On the choice of sites, I cannot say much more than I have already said. The purpose of the consultation is not to consider specific sites for new prisons, for the reasons that I have already indicated. It would not be good news for the public purse if someone could step in and purchase a site and then hold the public sector over a barrel.

I emphasise that the planning process is not a rubber-stamping process. It ought not to be and it will not be. If planning permission is not granted for a site that has been purchased, other sites will have to be found. That is one of the reasons why I say that the ending of slopping out might take five to six years. One of the factors in that is the length of time it will take to get planning permission. I assure Bristow Muldoon that the SPS's approach is that the planning process is a genuine exercise and nothing is taken for granted.

Bristow Muldoon also asked about the private sector and what assumptions were made in examining the issue. Private sector figures are available, not just from Kilmarnock prison but from the existing private prisons in England that we considered. The costings of the private sector are therefore reasonably well established. That comes through in the material that has been published today.

Fiona McLeod (West of Scotland) (SNP): I thank the Deputy First Minister for taking extra questions.

I return to the issue of Low Moss prison. On a few occasions, the minister said that Low Moss prison was nearing the end of its useful life. He then said it would close as soon as possible. Will the minister define "as soon as possible", given that the time scales for a new build he had been

talking about range from five to 11 years? If Low Moss prison is going to be closed before a new build is produced, can the minister tell us where prisoners and staff will go in the interim? Is the minister aware that there are already plans for a new build on the site at Low Moss and that the project is one step ahead of most others?

Finally, I ask the minister to extend to me, as a West of Scotland MSP who also has a constituency interest in the future of Low Moss prison, the courtesy of the invitation that he gave to Brian Fitzpatrick.

Mr Wallace: We would be happy to have a conversation on that point. With regard to Low Moss, I said that it would close as soon as possible. As we have seen, there are some factors about which we cannot be specific, not least the ones that I have just explained to Bristow Muldoon. Prisoners from Low Moss will have to be transferred elsewhere before we can close Low Moss. That will require a lot of reconfiguration, and possibly also one of the new prisons to be built.

Low Moss would be a candidate for closure before Peterhead, because the Low Moss site is a potential site for a new prison, but it would have to be cleared before a new prison could be built on it. I regret that I cannot be as definite as Fiona McLeod would like me to be. A lot of logistical arrangements will have to be made, for example, with regard to when new house blocks at Barlinnie will be brought on stream. There are a number of different configurations. Saying that Low Moss will close as soon as possible is the best I can do at the moment.

The Deputy Presiding Officer: Finally, I call Maureen Macmillan.

Maureen Macmillan (Highlands and Islands) (Lab): Last, but not least, I hope.

I wish to ask the Deputy First Minister about local prisons. Does he agree that the projected rise in the prison population will affect local prisons that are away from the central belt, such as Inverness, which is the smallest prison in Scotland but which serves the Highlands and Islands courts? How will the building of new prisons in the central belt relieve the pressure on Inverness prison in future, given that it is an old building on a restricted site? Does the minister have any plans to create more capacity at local prisons such as Inverness prison?

Mr Wallace: I think that I am right in saying that it would be difficult to increase the capacity at Inverness because of its location and layout. Equally, it would be wrong to build a 700-place prison in the Highlands and Islands. I assure Maureen Macmillan that the future of Porterfield prison in Inverness is secure. It provides an important local prison for the Highlands and

Islands. Off the top of my head, I do not know if it is one of the candidates for refurbishment. It is a good and effective prison, but I do not know if there is any scope to extend it.

12:37

Meeting suspended until 14:30.

14:30

On resuming—

Point of Order

Ms Margo MacDonald (Lothians) (SNP): On a point of order.

The Presiding Officer (Sir David Steel): Good heavens—before we have even started.

Ms MacDonald: Alain Baxter has been stripped of his Olympic medal by the International Olympic Committee. Does the Executive have anything to say in support of that young man, who has been unjustifiably castigated?

The Presiding Officer: Order. That may be an important issue, but it is certainly not a point of order. Let us move to question time.

Question Time

SCOTTISH EXECUTIVE

Sites of Special Scientific Interest

1. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive what plans it has to review the grounds for objecting to the designation of a site of special scientific interest to include economic, social and other factors. (S10-4911)

The Minister for Environment and Rural Development (Ross Finnie): I have no plans to review that particular aspect of the matter. Scottish Natural Heritage may not take non-scientific objections into account when confirming the notification of an SSSI. The selection is made on a scientific basis to ensure that the SSSI series represents the most important examples of Scotland's habitats, species and geology. SNH can, however, take social, economic and other factors into account when making decisions about the management of SSSIs. We are considering giving local communities a stronger voice in those management decisions.

Fergus Ewing: I thank the minister for that reply, the terms of which I was broadly aware of. Does he not accept that, although it is necessary to protect plant and animal species, it is also essential to protect the human species? Increasingly, in many parts of Scotland—not least on the islands of Yell, Islay and Arran—communities are extremely concerned about the sometimes unfair and draconian impact of SSSIs. Does the minister not accept that the designation, with its detailed and onerous conditions, is perhaps really more suited to preserving and

protecting meadows in Sussex than it is to preserving and protecting tracts of land in Scotland?

Ross Finnie: One really has to draw a distinction when there is a serious attempt, on a scientific basis, to protect Scotland's natural heritage: having designated a particular area, one must then consider how to manage it. When people consider the list of potentially damaging activities that is issued for SSSIs, there is a slight tendency to conclude that the whole of the list must be applied in every case. However, that is simply not the way in which the regulations are written.

We are considering involving a wider body of people to discuss the management of SSSIs so that we can have a proper and informed discussion as to precisely which PDAs are to be applied in each case. Fergus Ewing may be right to think that there have been instances of over-zealous application of the regulations, but it is not intended that that should happen. We do not wish to dilute the way in which we protect Scotland's natural heritage, but there may be more sensible arrangements for applying the regulations. We are considering that.

Rhona Brankin (Midlothian) (Lab): Is the minister aware that recent market research has indicated that 71 per cent of owners were proud to have an SSSI on their land; that 78 per cent said that they had a good relationship with SNH; and that 71 per cent did not see the SSSI as causing them any problems? Does the minister agree that Scotland's natural heritage is a wonderful asset for Scotland? Will he join me in condemning Fergus Ewing's rather shabby attempt to undermine essential conservation measures in Scotland?

Ross Finnie: I am well aware of the very high percentage—in the 70s—of people who think that SSSIs are effective and who are very happy to have them designated. I hope that Fergus Ewing is not attempting to undermine the basis on which such sites are designated. The figures show that there is a high degree of satisfaction where practical and co-operative steps are taken in the management of SSSIs. We must ensure that that applies across all SSSIs.

John Scott (Ayr) (Con): I would not want to undermine SSSI designations, but I am sure that the minister is aware of the strong objections to the proposed SSSIs on Arran, Barra and Yell. Has he considered making a special case for island communities such as Arran, Barra and Yell, whose social and economic infrastructures will be jeopardised by the designations?

Ross Finnie: The premise that those communities will be damaged is quite erroneous. There is already an SSSI on Arran and it operates

effectively. I have visited Arran because of the particular problems that have arisen there. I am staggered that people who are well aware of the way in which potentially damaging activities are regulated in the existing SSSI are making erroneous claims about the impact that the regulations would have on current activities. Mr Scott shakes his head, but I say to him that we have had a serious look at that. The real issue is the practical management of SSSIs, rather than their designation.

Loch Lomond and the Trossachs National Park (Targets)

2. Mr Brian Monteith (Mid Scotland and Fife) (Con): To ask the Scottish Executive what visitor number and revenue targets have been set for the proposed Loch Lomond and the Trossachs national park. (S10-4920)

The Minister for Environment and Rural Development (Ross Finnie): No such targets have been set by the Scottish Executive. That will be an issue for the national park authority when it is established.

Mr Monteith: I thank the minister for the revelation that no targets have yet been set. Is he aware of the remarks by Councillor Gillie Thomson, who is the Labour chair of the road services user group and chair of the national park interim committee, that £20 million is required to upgrade Stirling's roads? As the funding to the national park remains £1 million or more lower than the budget requested, is the minister confident that the roads in the national park will take the strain of additional visitor numbers?

Ross Finnie: The figure is not £1 million lower. I presume that Mr Monteith is referring to the Scottish Natural Heritage figure of £5.3 million to £5.8 million. However, that applies to the amount needed for the third year of the park's operation. That might be £1 million more than the amount allocated for the first year, but it is not a comparable figure.

Some preliminary research for the park authorities is under way and when that is complete we will have an indication of the number of visitors that can be expected. However, that is not directly related to the issue of funding for the roads network, which will be considered in terms of the total figures. That will be taken into account when the research is complete.

Dr Sylvia Jackson (Stirling) (Lab): While recognising that the roads infrastructure is a problem, does the minister agree that the focus of the Loch Lomond and the Trossachs national park is the future sustainable development of the area, which will involve local action points being fed directly into the national park plan? That will

continue to involve working in partnership with local community groups, such as the community futures group, a meeting of which I attended recently in Lochearnhead.

Ross Finnie: I agree. That is the essential difference between the structure of national parks in Scotland and those that were designated in England, where local communities were excluded from the development of national parks. I agree with Sylvia Jackson that the correct approach for developing national parks must be partnership with local communities. We must also recognise that we are creating a national park for the benefit of the whole of Scotland.

George Lyon (Argyll and Bute) (LD): There is genuine concern in my constituency about the total budget that is available to set up and implement Scotland's first national park. Will the minister reassure my constituents that he is confident that the budget will secure the success of the national park? That is an important issue for the Cowal and Argyll forest park area.

Ross Finnie: I agree that funding is of extreme importance. The most recent communication that I had from the interim committee was to the effect that it is satisfied with the £4.8 million allocation and that it believes that that money is sufficient to ensure that the national park gets off to the best possible start.

Education Policy (Consultation)

3. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Executive what plans it has to take into account the opinions of pupils, parents, teachers and employers in developing future education policy. (S1O-4933)

The Minister for Education and Young People (Cathy Jamieson): The national debate on education that I launched yesterday is an opportunity to have an inclusive dialogue with pupils, parents, teachers, employers and everyone else with an interest in the future of school-age education.

Elaine Smith: I thank the minister for her response. It shows that the Parliament has at its heart real engagement with the people of Scotland and, in particular, with our children and young people. Will the minister reassure concerned parents in my constituency who want to educate their children in Catholic schools that they will be able to continue to choose to do so?

Cathy Jamieson: I am happy to give Elaine Smith that reassurance. The Executive believes that denominational schools make a positive contribution to the Executive's aims of raising attainment levels for pupils and promoting social inclusion. I look forward to hearing further information, views and opinions from the

constituents whom Elaine Smith represents in the forthcoming national debate. I am sure that they will continue to put forward those views.

Water (Fluoridation)

4. Mary Scanlon (Highlands and Islands) (Con): To ask the Scottish Executive what proposals are being developed on fluoridation of the public water supply. (S1O-4923)

The Deputy Minister for Health and Community Care (Mrs Mary Mulligan): We propose to consult on a range of measures to improve children's oral health, including ways in which fluoride could be made available, maybe through fluoridation of the public water supplies. Details of our proposals for the consultation will be announced shortly.

Mary Scanlon: I hope that the Parliament will acknowledge that tomorrow is world day for water. Given the outcome of the court cases involving Northumbrian Water, whose refusal to add fluoride to the water supply was upheld in the absence of a full indemnity from the Westminster Government against all claims, will the minister confirm that fluoridation of the water supply in Scotland is a complete non-starter unless the Scottish Executive provides such indemnity to Scottish Water? Is the minister prepared to do that?

Mrs Mulligan: It would be for the courts to determine liability in such circumstances. However, under current guidance and under section 172 of the Water Act 1989, the Executive will indemnify against any legal challenge a water authority that is carrying out fluoridation schemes that are requested by a health board.

Elaine Smith (Coatbridge and Chryston) (Lab): On the eve of world day for water, which has the pertinent theme of water and health, will the minister join me in congratulating North Lanarkshire Council and the south Coatbridge social inclusion partnership on initiating pilot schemes in four Coatbridge primary schools to provide free accessible drinking water to pupils? Could the minister comment on that kind of provision for all Scotland's schoolchildren, given the obvious benefits to health and well-being?

Mrs Mulligan: I am happy to congratulate North Lanarkshire Council on that project. I acknowledge the benefits of water being available. It is up to local authorities whether they want to implement such provision, but I urge them to consider North Lanarkshire Council's pilot scheme.

Suicide

5. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive how it is tackling suicide among young males. (S1O-4918)

The Minister for Health and Community Care (Malcolm Chisholm): As part of our drive to improve mental health and well-being, I launched a consultation last October on our draft national framework for the prevention of suicide and self-harm. I hope to publish the final version of the framework later this year. We are also providing financial backing for a new phone line that will go live on 8 April for people with low mood and depression who might be at risk of suicide.

Donald Gorrie: Would the minister care to comment on the experience we had at the Edinburgh City Youth Cafe on Victoria Terrace? We hosted a health board pilot scheme offering counselling to potential suicides. From that, we learned first that it is a good scheme and that we need more such schemes offering counselling and, secondly, that there must be better support in social work for people who end counselling. People cannot be in counselling for ever.

Malcolm Chisholm: The issue is complex and that is why the framework proposes a series of actions. Part of that is targeting actions on people who are at risk. As Donald Gorrie said, that is what happened in Edinburgh with some success. Again, he highlighted the important role of the voluntary sector. The important thing is that local alliances form and local action plans take a series of initiatives to deal with such a serious problem.

Scott Barrie (Dunfermline West) (Lab): As the minister will know, young males constitute the largest age group of people who commit suicide in our society. As the cross-party group on children and young people heard at a meeting earlier this year, there are many complex and different reasons for that. Does the minister agree that organisations such as the Samaritans, and other voluntary and statutory agencies, have a key role to play in offering counselling and support to vulnerable youngsters? Will he ensure that sufficient resources are available to ensure that their work will continue?

Malcolm Chisholm: Those organisations certainly play a valuable role and I pay tribute to them. I hope that the phone line that I announced in my first answer will complement the splendid work that the Samaritans and others have done for such a long time.

Alex Neil (Central Scotland) (SNP): I ask the minister and his colleague the Minister for Justice to examine the specific circumstances of the spate of young male suicides in the private prison at Kilmarnock. I ask them to identify whether any aspect of that regime needs to be improved to avoid a repetition of such suicides in the future.

Malcolm Chisholm: It is extremely distressing when any young person commits suicide. That applies to young people in a range of prisons. The

specific matter that the member has highlighted falls within the remit of the Minister for Justice. Unfortunately, we have heard of suicides in quite a large number of prisons.

Teachers Induction Scheme

6. Michael Russell (South of Scotland) (SNP): To ask the Scottish Executive what financial or other assistance it is giving to local authorities to ensure that all those seeking a probationary year under the teachers induction scheme are able to secure such a position without the cessation of any existing temporary contracts for teachers already in post. (S1O-4901)

The Deputy Minister for Education and Young People (Nicol Stephen): The guarantee of a one-year training contract for all eligible probationary teachers will be met. Appropriate measures are being taken in partnership with the Convention of Scottish Local Authorities to ensure that that is achieved and that it is adequately funded. As with all teaching posts, the position relating to teachers who are on temporary contracts is a matter for individual local authorities.

Michael Russell: The minister's reply will not satisfy many of the young teachers already in temporary posts who are being told that their jobs might well not last beyond the summer. Everyone supports the teachers induction scheme but, as the father of a young female teacher in Glasgow said to me yesterday, it would be unacceptable if that scheme were to be implemented at the expense of existing teachers. Will the minister ensure that local authorities have the additional assistance that is necessary to ensure that experienced teachers and teachers who are already in post do not suffer as a result of the introduction of the induction posts?

Nicol Stephen: I will undertake to do that. We have been having close discussions with all the local authorities. We wrote to them last week to reconfirm the number of training posts that will be available. We are discussing with them the significant number of new teachers who are coming through the system and who have been given the guarantee, not only by the Executive but by COSLA and the teaching organisations that are represented on the Scottish negotiating committee for teachers.

It will be difficult to achieve success in this matter by August 2002. If we do not work hard, there could be unfortunate knock-on consequences. I accept that, but we will work hard and, wherever possible, ensure that teachers who are in the system are not disadvantaged by the introduction of what is widely regarded as an excellent new system for probationary teachers throughout Scotland.

Cathy Peattie (Falkirk East) (Lab): I welcome the new move forward. What will be done about teachers who qualified in 2001? Some of those teachers are still not in jobs or are in temporary jobs. They have two years of probation to do and are concerned that they will not be able to complete their probation.

Nicol Stephen: The point is the same. We are moving from an old system that was unsatisfactory and in which there were problems. The average time taken to complete the probationary period was three and a half years. We are moving to a new system in which the probationary period will be completed in one year. Significant improvements will be made. Some young teachers are still in the old system. Because arrangements for the new scheme might be unsatisfactory for them, we have made concessions that will speed up the process of their training. That has been agreed with the SNCT. Other issues will arise during the next few weeks and months. I am determined that those issues should be tackled fairly.

River Clyde (Regeneration)

7. Mr Kenneth Gibson (Glasgow) (SNP): To ask the Scottish Executive what support it will provide for regeneration of the River Clyde. (S10-4915)

The Minister for Enterprise, Transport and Lifelong Learning (Ms Wendy Alexander): In November, I established the River Clyde working group to progress an ambitious strategy to maximise economic development along the River Clyde. The working group will bring together and add value to the many regeneration initiatives that are under way.

Mr Gibson: The minister will be aware of the appalling scenes of dereliction that scar both banks of the Clyde along much of its course from Glasgow to Dumbarton and Greenock. What action will the Scottish Executive take, not just to restore derelict and vacant land to productive use, but specifically to decontaminate all the toxic sites that are adjacent to the Clyde? By what date will that task be completed?

Ms Alexander: As Kenneth Gibson will know, the Executive is currently involved in the Glasgow harbour project at Meadowside, the "Wall Street on the Clyde" proposals and the Pacific Quay proposals. I find it rather difficult to take that the SNP should want to encourage land development in Glasgow while opposing the proposals for the rebuilding of the city's council housing and of every secondary school in the city. The SNP has also opposed our transport plans for Glasgow.

National Scenic Area Designations

8. Mr Keith Raffan (Mid Scotland and Fife) (LD): To ask the Scottish Executive when it will respond to Scottish Natural Heritage's review of the national scenic area designation sent to it in 1999. (S10-4903)

The Minister for Environment and Rural Development (Ross Finnie): I hope to be able to do so shortly.

Mr Raffan: I hope that "shortly" will be shortly.

Does the minister agree that, now that the national parks are almost up and running, it is important that we implement the recommendations of the NSA designation? Can he indicate when he thinks that he will be able to give NSAs a new statutory base to define their purpose? Does the minister agree that the NSAs should be more comprehensive and that they should be more representative of Scotland's best scenery than the present 40 areas, which have been criticised for placing undue emphasis on the mountainous areas of Scotland to the exclusion of lowland landscapes.

Ross Finnie: I am happy to agree with most of what Mr Raffan has said. The question has been one of priorities. We have had to implement a range of Scottish statutory instruments dealing with the legislation for the national parks. SNH's recommendation that the statutory obligations for the existing 40 NSAs should be reconfigured to allow greater flexibility and to recognise the degree of diversity to which Keith Raffan referred clearly needs to be brought forward as quickly as possible.

Rural Post Office Services

9. Stewart Stevenson (Banff and Buchan) (SNP): To ask the Scottish Executive whether it will make representations to Her Majesty's Government on the possible impact on rural areas of any reorganisation of post office services. (S10-4926)

The Minister for Environment and Rural Development (Ross Finnie): Consignia, post offices and postal services are a reserved matter. However, the Scottish Executive is in regular contact with the UK Government on a range of issues that include postal services, as Mr Stevenson will know from yesterday's members' business debate.

Stewart Stevenson: In last night's debate, the minister said:

"the Executive has a real locus in the question of service provision in rural areas".—[*Official Report*, 20 March 2002; c 10461.]

Will he confirm that he meant that he and his colleagues in the Government will campaign vigorously to protect delivery of mail at an affordable and uniform cost to every door in Scotland every day?

Ross Finnie: I can certainly confirm that we have a real locus in the provision of services in rural areas. Yesterday evening, I also made it clear that, although the postal service is a reserved matter, we have a real interest in the provision of service delivery. In conjunction with Andy Kerr and the modernising government unit, we are looking closely at how we can embody some of the sensible suggestions that are coming from the "Your Guide" project. That might help in providing the framework that would assist the Post Office in the delivery of its services.

David Mundell (South of Scotland) (Con): Is the minister aware that many members who were present for last night's debate on post office services were disappointed with his response to the debate? As always, he expressed kind words, but he offered no practical resolution to the issue of the future of post offices. Will he make real positive proposals that will allow our post offices to continue to operate in rural and deprived areas?

Mary Scanlon (Highlands and Islands) (Con): Hear, hear!

Ross Finnie: Anyone who says, "Hear, hear!" must believe that they are sitting in Westminster. The postal service is a reserved matter. To expect me to announce what Consignia will do is wholly unreasonable. I pointed out our commitment, which I will repeat, that Andy Kerr and our modernising government unit will consider whether brigading services would provide a foothold that would work and that would mean that post offices could survive. "Your Guide" offers another opportunity or link by which that can be done in Scotland. That is what Andy Kerr and I will work towards.

Planning (Historic Landscapes)

10. Alex Johnstone (North-East Scotland) (Con): To ask the Scottish Executive what plans it has to use its planning powers to protect historic landscapes, such as the Carse of Gowrie, from development. (S10-4914)

The Deputy Minister for Social Justice (Ms Margaret Curran): It is for the planning authority to set development plan policies for its area and to determine planning applications in accordance with the development plan. The Scottish Executive provides national policy guidelines, which planning authorities must take into account when forming their development plans.

Alex Johnstone: Is the minister aware of the widespread local concerns in the eastern end of

the Carse of Gowrie—the area that lies around the council boundaries of Dundee, Angus, and Perth and Kinross—at the proposed Dundee western gateway housing and industrial development that is set to be finalised in the Dundee and Angus structure plan? Is she aware of the huge opposition of local people to the prospect of hundreds of new houses being built on green belt and prime farming land and of their concern about the effect that such a massive development will have on a historic landscape? Will the minister ensure that local concerns are taken fully into account before approval is given to the finalised structure plan?

Ms Curran: As many people are aware, Scottish ministers have to ensure that all the issues that are covered by a structure plan reflect established national planning policy. That is the case whether the issue concerns rural development, planning or the historic environment. We also have to take into account the views of those who have made representations about any aspect of any plan.

Roseanna Cunningham (Perth) (SNP): Is the minister aware that there is an active campaign in East Carse, which is called "Eyes off East Carse" and is led by an SNP councillor? Is she further aware that Perth and Kinross Council, in whose area the Carse of Gowrie lies, sees no cause for concern in the Angus and Dundee structure plan? Does she agree that, if such serious concerns exist, the Tory councillors in the Perth and Kinross Council administration might have made those views known? Will she resist any attempt to make planning a party political issue?

Ms Curran: Roseanna Cunningham should take a taste of her own medicine.

Land Management (Access)

11. Bill Aitken (Glasgow) (Con): To ask the Scottish Executive how land managers will be able to carry out timber felling, lambing and other operations if they are unable temporarily to restrict access for reasons of land management and public safety and whether it has consulted the Health and Safety Executive and any other organisations on this issue. (S10-4917)

The Minister for Environment and Rural Development (Ross Finnie): In drafting part 1 of the Land Reform (Scotland) Bill we consulted widely all relevant interests, including the Health and Safety Executive. The provisions of the bill do not affect the responsibilities of land managers under health and safety legislation. Part 1 of the bill requires that those exercising access rights should do so responsibly. Responsible exercise of access rights will not interfere with legitimate land management, such as timber felling or lambing. The Scottish outdoor access code will provide guidance on the exercise of responsible access.

Bill Aitken: Does the minister accept that access to land increases the potential liability of land managers? Will he consider an amendment to part 2 of the Land Reform (Scotland) Bill?

Ross Finnie: Two issues are involved. First, we must be clear about what is responsible access. As was made clear in yesterday's debate, "The Comeback Code", which was published after the outbreak of foot-and-mouth, demonstrated that the Scottish public is very capable of exercising responsible access to the countryside.

Secondly, evidence that was submitted by the Law Society of Scotland to the Justice 2 Committee and which forms part of the committee's report, drew attention to the issue of liability. As I indicated in the debate yesterday, I undertake to re-examine the Law Society's submission on that matter.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): Does the minister recognise the public's response to the demands of the foot-and-mouth crisis and the existing satisfactory arrangements that are in place on Forestry Commission land, where felling, explosions and shooting take place subject to appropriate signage? Since 1995, open access arrangements have been in place at Mar Lodge. Those arrangements can accompany the working of commercially operated estates.

Does the minister agree that our proposals on restoring and asserting access to land for the people of this land deserve more than the mere sloganising of the rump of soldiers and farmers who sit on the Tory benches?

Ross Finnie: I am happy to acknowledge the points that Brian Fitzpatrick made about the growing evidence of the Scottish public's ability to exercise access to land in a responsible manner. I wish that the Tory party would stop peddling the nonsense that an army of people is pent up and ready to trample the countryside. That is arrant nonsense and the Tories should stop peddling it.

Dennis Canavan (Falkirk West): Will the minister confirm that the overwhelming number of responses to the draft Land Reform (Scotland) Bill were in favour of having fewer rather than more restrictions on access to the countryside? As a result, will the Executive pay more attention to the views of genuine lovers of the countryside rather than to the unrepresentative views of right-wing urban guerrillas such as Bill Aitken?

Ross Finnie: Dinosaur yesterday, urban guerrilla today: Bill Aitken is certainly moving on, if that is progress. Indeed, for Mr Aitken, that might well be progress. We will certainly not be listening to that particular faction when we fashion the bill. As the Conservatives' closing speech yesterday afternoon made clear, they stand alone on this issue, and very far apart from the whole of Scotland.

Green Office Week

12. Iain Smith (North-East Fife) (LD): To ask the Scottish Executive what action it has taken to support green office week from 18 to 22 March 2002. (S10-4941)

The Minister for Finance and Public Services (Mr Andy Kerr): Staff in a number of Scottish Executive buildings will be taking part in a stationery amnesty as part of green office action week. This is the first year that the Executive has participated in such an initiative. Furthermore, we are supporting Friends of the Earth Scotland's green office programme with an £88,000 grant which will be spread over this and the next two financial years and will assist in promoting green office action week and related events and services.

Iain Smith: Given the tremendous environmental advantages of waste reduction as opposed to landfill, what action is the Executive taking to encourage local authorities, which employ nearly 250,000 people throughout Scotland, to reduce office waste and waste from other aspects of their operations, including from schools such as Bell Baxter High School in my constituency, whose pupils are in the gallery today? Will the national waste strategy include waste reduction targets? If so, how will the Executive encourage local authorities to reach those targets?

Mr Kerr: Local authorities are arguably at the leading edge of some of the work that Iain Smith mentions. I agree that we can improve the environment simply by opening up what many people call the stationery stash and using the material that is in there. Surprisingly, when 120 businesses took part in a similar exercise, £18,000-worth of stationery was reused instead of disposed of, which meant that new office equipment did not have to be purchased. As a result, valuable natural resources were saved.

My colleague Ross Finnie is in charge of area waste plans. He continues to pursue a dialogue with local authorities to ensure that we reuse and minimise waste and thereby avoid creating more landfill.

Dorothy-Grace Elder (Glasgow) (SNP): I would be terribly grateful if the Executive could make our offices greener and save public money by cutting down on spin and the fortune spent on its glossy policy documents, which use extremely high-quality paper when cheap paper would do perfectly well. Does the Executive not agree that the wages of spin are high enough already?

Mr Kerr: Hmm. [Laughter.] I will not say yes to that question, because we want to present our policies to the people of Scotland in a way that they can understand, assimilate and respond to. It

is a good idea for Government to relate to the community and other interested parties and communicate with them in a clear and straightforward manner.

I recommend that Dorothy-Grace Elder visit the Scottish Executive website, where she will find our environmental plan. The plan covers many of the serious targets that the Executive has set itself, including those on energy reduction and paper recycling, and highlights many of the positive steps that we take to protect our environment.

Equine Passports

13. Miss Annabel Goldie (West of Scotland) (Con): To ask the Scottish Executive what plans it has to introduce equine passports as is proposed in England and Wales. (S1O-4895)

The Minister for Environment and Rural Development (Ross Finnie): As required by European Union legislation, by 31 December 2003, all horses, ponies and donkeys in Scotland will require to have a passport.

Miss Goldie: I thank the minister for his response. I just hope that MSPs will not have to countersign the applications.

In the interests of minimising bureaucracy and the costs of enforcing the scheme, does the Executive intend to look at the situation in Ireland, where, although every horse has documentation, not all of them require passports?

Ross Finnie: That is probably an early plea for an exemption.

Equine passports have a serious purpose, of which I am sure the member is well aware. The thrust of EU directive 2000/68 is to ensure that horses that enter the food chain have not received veterinary medicines that would make them unsuitable for that purpose. It is very difficult to determine to which horses the directive should apply. We have taken the view that, in the interests of public safety, it would be inappropriate to make distinctions.

Schools (Exchange Visits)

14. Mr Tom McCabe (Hamilton South) (Lab): To ask the Scottish Executive whether it plans to facilitate an increase in exchange visits between Scottish and European schools. (S1O-4942)

The Deputy Minister for Education and Young People (Nicol Stephen): Yes. We encourage schools in Scotland to take advantage of all opportunities for exchanges, links and co-operation with schools abroad. We facilitate exchanges with European schools by means of our involvement in European Union education programmes, such as the Comenius programme,

which supports school links and projects involving schools and pupils from different EU countries.

Mr McCabe: From the minister's answer, it is clear that the Executive recognises the benefits that can be derived from such visits. Will the minister consider the benefits of other measures, such as buddy systems, which involve giving Scottish youngsters a pen friend and access to e-mail, so that they can interact with young people abroad?

Nicol Stephen: I would be prepared to investigate further that possibility. In the past 12 months, every European Union country and most of the accession states have been visited either by pupils or by teachers from Scotland. We want to have more exchanges of that sort. Clearly, such exchanges can be strengthened and developed further through the use of e-mail, the internet and videoconferencing. As long as that can be done appropriately and safely, it is clearly to be encouraged.

Irene Oldfather (Cunninghame South) (Lab): Will the minister join me in commending the work that is being undertaken by North Ayrshire virtual school of modern languages? Does he agree that projects of that sort, which enable local children to link up with their European counterparts, using the very latest technology, provide a solid foundation for future exchanges and partnerships?

Nicol Stephen: I certainly do. Exchanges and new opportunities of the sort to which the member refers can play a central role in the new initiatives that we are taking in relation to modern languages. I never fail to be amazed by some of the connections that our schools have not only with other countries in all parts of Europe, but with every continent around the globe. The First Minister has started to develop connections with schools in South Africa. Even a few years ago, such opportunities would have been unthinkable. By making use of modern technology, we can connect with parts of the globe that were previously very isolated—not only from Scotland, but from all the modern economies.

Race Relations (Amendment) Act 2000

15. Kate Maclean (Dundee West) (Lab): To ask the Scottish Executive what arrangements and progress have been made in respect of implementing the requirements on it under the Race Relations (Amendment) Act 2000. (S1O-4947)

The Minister for Social Justice (Iain Gray): The Executive has been very active in meeting its new statutory duties. In recent weeks, we have brought into force an order that will impose specific duties on key public bodies to promote race equality. We have published our responses to

the report of the race equality advisory forum and to the review of funding for minority ethnic groups. We have also agreed to provide £60,000 over two years to help to develop high-quality translating and interpreting services across Scotland. In addition, the Executive is about to commence work on its race equality scheme, which we will publish by the end of November 2002.

Kate Maclean: Given that, to date, legislation alone has not significantly reduced racism, how much funding is the Scottish Executive providing to implement the requirements on it under the Race Relations (Amendment) Act 2000 and to further race equality in general? With the Presiding Officer's indulgence, will he and the chamber join me in sending thanks and good wishes to Dr Moussa Jogee, who retires this month after eight years with the Commission for Racial Equality and a lifetime of promoting racial equality?

Iain Gray: It is fair to say, as Kate Maclean has said, that making progress in race equality is not just about legislation. That is why we have recently doubled the ethnic minority grants scheme budget, raising it to £500,000 a year. We have also provided funding for a development worker in the field of translation and interpretation, which is particularly important. We must recognise that working towards race equality is not an add-on for public bodies, or indeed for any body. I hope that various public bodies are already using their funds to undertake a great deal of the work that they will be required to formalise in their race equality strategies.

I am happy to associate the Executive with Kate Maclean's comments about Dr Jogee. He has been a key figure in the fight against racism—recently in this country, but also during the course of his life in South Africa. The Deputy First Minister and I, as well as Kate Maclean, as convener of the Equal Opportunities Committee, will pay tribute to his dedication at his retiral party tonight. We look forward to that.

First Minister's Question Time

Prime Minister (Meetings)

1. Mr John Swinney (North Tayside) (SNP): To ask the First Minister when he last met the Prime Minister and what issues were discussed. (S1F-01762)

The First Minister (Mr Jack McConnell): I met the Prime Minister in Dundee last month on a visit to Cyclacel, where world-class research is being turned into excellent business opportunities. I saw a further example of that on Monday at the new Alba Centre in Livingston. Alba is a great example of how, through entrepreneurship and innovation, we can develop a world-leading electronics design industry in Scotland.

Mr Swinney: On the future of Scotland's prisons, whom should the people of Scotland trust—Her Majesty's chief inspector of prisons or a firm of private accountants?

The First Minister: The people of Scotland should trust themselves. If anybody in Scotland has views about the proposals that were very ably laid out this morning by the Deputy First Minister, they should take part in the consultation and express those views. In pursuing our policies for our prison system, we must ensure that we have adequate, modernised facilities, that we rehabilitate prisoners so that the disgraceful rate of offending in Scotland is reduced, and that not only do we end slopping out but we have facilities that we can be proud rather than ashamed of.

Mr Swinney: I am certainly all for the people of Scotland trusting themselves. I just wish that the First Minister would give them the chance to do that into the bargain.

Let me show the First Minister the contrast between the opinions that have been put forward. A firm of private accountants has suggested that somehow—almost unbelievably—we can save £700 million in the provision of privatised prisons in the future. That figure is unbelievable in Scotland and is not believed by a large number of members on the Labour benches, to judge from the questions that were asked this morning. Her Majesty's chief inspector of prisons has described any decision to close Peterhead prison, which houses many sex offenders, as one that will see public safety "gravely compromised".

Does the First Minister accept that there is widespread concern in Scotland that, when faced with a choice between privatisation and public safety, he has dumped public safety and opted for privatisation?

The First Minister: That is a disgraceful assertion and I hope that Mr Swinney will live to regret it. No action will be taken by my team of ministers, either wittingly or unwittingly, that will threaten public safety. I am disappointed by the way in which debates involving Mr Swinney and his colleagues are sometimes conducted, with certain quotations taken out of context and certain comments misrepresented. Even factual statements made in the chamber less than four hours ago have been misrepresented. Mr Wallace did not say this morning that the figures had been produced by a firm of private accountants. I may not have been in the chamber, but I heard every word. What he said was that the figures that we first saw, which were produced by the Scottish Prison Service—the public body in which Mr Swinney, like us, has a lot of faith—seemed incredible. That is why we had them checked and checked again.

The decisions that have been made have been made on a rational and accurate analysis of the situation. If people have alternative sets of figures or alternative views on the proposals, there is a proper, three-month consultation period, during which they can submit those views, and they should do so.

Mr Swinney: The problem with that answer is that the private company that is doing the verification has 132 private finance initiative contracts that are worth £18 billion in the United Kingdom. What did the First Minister expect? Did he expect it to say that things would somehow be dearer in the private sector? Does the First Minister accept that the figures that he mentioned are achievable only if staff are cut, the number of people involved in handling prisoners is slimmed down, the cost of such ventures is reduced and public safety is jeopardised into the bargain? Is it true that there is nothing that new Labour will not privatise? The privatisation of our prisons is a privatisation too far.

The First Minister: I think that I said last week that it is a shame that some SNP members are trying to scare old people in Glasgow. It is wrong that Mr Swinney should try to scare people in Scotland.

He mentioned the private finance initiative, which is different from the scheme that Mr Wallace proposed this morning. It is important to relate facts to the situation. I have been inside Kilmarnock prison—I made a point of visiting it as part of our studies. I have seen the closed-circuit television cameras, which ensure that the whole prison is properly scrutinised, and the structure of the building, which allows the employment of different staffing patterns. In the months to come, it is important that we base the debate on facts and accurate analysis, that we study those facts,

that we make choices for the future of Scotland's prison service and that we ensure not only that we have the right facilities, but that we use public money effectively. If Mr Swinney is saying that we should take £700 million out of the Scottish budget over the next few years and spend it on prisons rather than on schools and hospitals, I would be surprised. He can make his cheap political points today, but he will not sustain them in the months ahead.

Cabinet (Meetings)

2. David McLetchie (Lothians) (Con): To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S1F-01763)

The First Minister (Mr Jack McConnell): Next week's Cabinet will discuss the progress that has been made in recent months in focusing directly on our priorities of education, health, transport, crime and jobs.

David McLetchie: I thank the First Minister for his answer. The Cabinet might also usefully discuss the cost to councils and to the Scottish Executive of the chancellor's pensions tax. Since its introduction, it has cost Aberdeen £4 million, Dundee more than £8 million and Glasgow a staggering £15 million—that is the equivalent of an extra £84 on the bills of band D council taxpayers in Glasgow. Moreover, it has cost the Scottish Executive a total of £142 million over that period. Does the First Minister consider that to be money well spent? Are the figures yet another example of the damaging effects of the chancellor's pensions tax, which is leading to the closure of superannuation schemes throughout the country?

The First Minister: Is that it? This is a Thursday afternoon when we could be discussing important issues facing Scotland. On Monday, we launched the new Alba Centre. We took research and put private companies together in a way that will create and sustain jobs in Scotland in the future. I will return to the issue that Mr McLetchie raised in a second—it is ridiculous. On Monday, we launched a plan of action against alcohol. On Tuesday, we launched a new drugs strategy that will be effective in taking young people off the streets and dealing with drugs. Yesterday, we launched a national debate on education. This morning, we launched a transport delivery plan that focuses on fundamental priorities.

The point that Mr McLetchie raised has been discussed in the chamber. When the new pension arrangements were introduced, Scottish councils were compensated. Even if the figure that Mr McLetchie mentioned were correct, £142 million is a drop in the ocean compared to the £5 billion or £6 billion that the chancellor has added to Scotland's coffers since the Parliament was

established three years ago, and Mr McLetchie knows it.

David McLetchie: I am sure that the pensioners of Scotland will be staggered to find that the First Minister does not regard their future well-being as a matter of concern or interest. I have heard a perverse set of priorities from the First Minister before, but that fairly takes the biscuit in terms of what he regards as important and whom we should be looking after.

The chancellor has created a vicious circle in public sector finance, in which he imposes extra stealth taxes on councils, which in turn pass the costs on to local residents in the form of higher bills or ask the Scottish Executive for more money. Does the First Minister agree with his Labour and Liberal colleagues on the Parliament's Local Government Committee that the solution to such problems is to find new ways to fleece our hard-pressed council tax payers and local businesses? Is not it about time that the First Minister went to the source of the problem and told the chancellor to stop imposing new stealth taxes, which are damaging the governance of Scotland?

The First Minister: I am not responsible for imposing any stealth taxes. It is disingenuous of Mr McLetchie to make the initial point about pensions. This Parliament is not responsible for old age pensions in Scotland and to say that it is—

David McLetchie: Answer the question.

The First Minister: David McLetchie said pensions and that is what the old people of Scotland would understand that he meant.

It is important that this Parliament concentrates on its responsibilities—in particular, education, health, transport, crime and jobs—rather than on the responsibilities of Parliaments elsewhere. When the pension changes were introduced, Scottish councils were compensated and, even if what David McLetchie says is true, the amount of money that might have been returned to the chancellor in the course of the past few years is minuscule in comparison to the £5,000 million that has been added to the Scottish budget in that time. That money would not be available if the SNP were ever in charge.

National Health Service (Mistakes)

3. Nicola Sturgeon (Glasgow) (SNP): To ask the First Minister what steps the Scottish Executive intends to take to ensure that patients are informed quickly and sensitively when mistakes affecting them occur in the NHS. (S1F-01774)

The First Minister (Mr Jack McConnell): NHS staff must ensure that patients are given clear information and good advice. Problems must not

be hidden. They must be dealt with effectively and quickly and patients' interests must be foremost. Last December, we published "Patient Focus and Public Involvement", which set out ways to improve how the NHS communicates with patients. We are open to ideas on further improvements, if they are available.

Nicola Sturgeon: I thank the First Minister for his answer. With regard to the incident at the Western general in Edinburgh that came to light last weekend, does he agree that it was not acceptable for the trust to take eight months to inform patients of an accident, and so face the threat of exposure in the media, when that accident affected many patients and may result in some of them being unable to have children? Does he agree that when mistakes are made in the NHS it is essential that patients are informed quickly and sensitively? In the interests of offering constructive suggestions, I ask the First Minister whether he will now consider issuing to health trusts a new code of practice, which will ensure that when trusts are faced with such circumstances they always ensure that the interests of patients come first?

The First Minister: I hope that Nicola Sturgeon does not find herself in trouble for offering constructive suggestions. I welcome the fact that she has done so and she makes a very serious point.

Malcolm Chisholm and I share Nicola Sturgeon's concern about what came to light last weekend. I understand that Malcolm Chisholm has asked for a report on the matter, which he expects to receive by the end of the week. We will study that report. The suggestion about an improved code of practice, which Nicola Sturgeon made earlier in the week and made again today, is one that we will bear in mind. The existing code of practice was put in place in 1995 so it may need updating. If so, it will be updated.

Rhona Brankin (Midlothian) (Lab): Is the First Minister aware of the report published earlier in the week that highlighted the high number of hysterectomies that are carried out on women in Scotland? Will he reassure the Parliament that clinical guidelines will be urgently reviewed in order to ensure that no woman is offered a hysterectomy unless it is absolutely necessary?

The First Minister: No one should be in any doubt that a hysterectomy is a traumatic operation. It should take place only in circumstances in which it is appropriate and after full discussion between a woman and her doctor. If there is any need—in the light of the information that came out of the research that was conducted and published south of the border this week—to improve the guidelines in Scotland or renew them in any way, I assure Rhona Brankin that we will want to do that.

Community Schools

4. Janis Hughes (Glasgow Rutherglen) (Lab):

To ask the First Minister what reassurances the Scottish Executive will give regarding the future of community schools. (S1F-01781)

The First Minister (Mr Jack McConnell): I believe that the new community school model is a success and should be central to improvements in our schools, as it joins up services to secure opportunities for children, regardless of where they come from. That is why I support the roll-out of the new community school model throughout Scotland.

Janis Hughes: Will the First Minister join me in congratulating South Lanarkshire Council, which has embraced the concept of community schools and which recently agreed to roll out the programme to all schools in the authority area? That decision follows the success of Cathkin High School in my constituency, where absence rates have fallen by almost 80 per cent, which has an obvious knock-on effect on attainment levels. Will the First Minister assure me that the Executive will continue to encourage and assist other local authorities to follow that lead?

The First Minister: South Lanarkshire Council is to be congratulated. Last night, I attended an excellent concert in Motherwell with the director of that council's education department. The concert, which was supported by schools from throughout North Lanarkshire and South Lanarkshire, had on show some of Scotland's best young talent. I think that there was a choir from Cathkin High School, which is in Janis Hughes's constituency. I ask her to pass on my congratulations to it. South Lanarkshire Council's commitment to community schools and to the promotion of individual talent should be encouraged elsewhere in Scotland.

Michael Russell (South of Scotland) (SNP):

The First Minister knows that the Scottish National Party strongly supports the concept of community schools. It is crucial that each element of the mix of disciplines is adequately funded in the roll-out programme for such schools. Will the First Minister undertake to consult the Minister for Education and Young People to ensure that, as the second phase of community schools is rolled out, there are adequate resources? Some schools claim that they cannot do their job because the resources are not adequate.

The First Minister: That is not exactly what they say. They would like to pursue the roll-out of community schools more quickly than is possible within existing budgets. That is good, because it shows that the community schools concept, which this Administration introduced, is a success. Community schools should be welcomed and promoted throughout Scotland, but that can be

done only within the available budgets. Over the next two years, those budgets will be increased by £30 million. I am certain that, as the schools succeed in raising attainment in communities, it will be possible to raise the budget further.

Murdo Fraser (Mid Scotland and Fife) (Con):

The Conservatives, too, support community schools. Will the First Minister say what the point is of a national debate on education if the Executive prejudges the issue, which it did today in relation to community schools and yesterday in relation to the role of local authorities?

The First Minister: It is a bit rich to condemn the Minister for Education and Young People for not having opinions and then to condemn her for having them and expressing a strong view on some of the basics. We need local authorities that run the schools in their areas properly, drive up standards and check those standards against local and national targets. We must ensure that schools are properly managed, that they work with their local communities and that teachers and other professional education staff work closely with professionals in other areas such as health and social work to ensure that children have the best possible start in life. That is the objective of the partnership Government in Scotland; I believe that we are making great strides towards achieving it.

Tobacco Advertising

5. Donald Gorrie (Central Scotland) (LD):

To ask the First Minister what the current position is on the banning of tobacco advertising in Scotland. (S1F-01777)

The First Minister (Mr Jack McConnell): The UK Government announced on Friday 15 March that it will find legislative time in the House of Commons for the Tobacco Advertising and Promotion Bill. That bill will extend to Scotland, and I understand that it will be introduced to the House of Commons shortly after the Easter recess.

Donald Gorrie: That is good news. Does the First Minister agree that a UK ban would be better than a Scottish one and that the best way forward is to pursue the Tobacco Advertising and Promotion Bill, which was introduced and steamed through the House of Lords by the Liberal Democrat peer Lord Clement-Jones?

The First Minister: We should praise Lord Clement-Jones for ensuring that the issue is on the agenda. He forced the bill through the House of Lords admirably and quickly. At the risk of completely ostracising Nicola Sturgeon, I praise her for her tenacity on the issue.

I also praise the Health Education Board for Scotland. It is occasionally criticised for the way in which it spends money, but it runs an excellent

anti-smoking advertisement, which targets young people and which has been widely praised in Scotland and elsewhere.

UK legislation on this matter shows one of the strengths of UK-wide legislation when it is right. Such legislation would not be open to the people of Scotland if different constitutional arrangements were ever to be put in place.

Nicola Sturgeon (Glasgow) (SNP): I am delighted that the UK Government has finally been prompted to take action to ban tobacco advertising and save lives in Scotland. Amid all the individual praise, I ask the First Minister to join me in recognising the role of the Scottish Parliament, through its consideration of the Tobacco Advertising and Promotion (Scotland) Bill, in bringing pressure to bear on the UK Government and ensuring that continued inaction on its part was simply not an option.

The First Minister: I genuinely believe that there was never any doubt that the UK Parliament would legislate on this matter when the time was appropriate. I am delighted that what has sometimes been seen as time that the Parliament could have used for other matters will no longer be required and I hope that the UK bill will be progressed by the House of Commons as quickly as possible.

Mr Brian Monteith (Mid Scotland and Fife) (Con): The First Minister talks about the benefits of the bill covering the UK. Given that the bill seeks to ban tobacco advertising from websites, how does the First Minister propose to ensure that no tobacco advertising will appear on websites that originate outside the UK?

The First Minister: I do not know the exact answer to that question and I am not going to start making up answers on the hoof. I will be delighted to reply to Mr Monteith's question in detail, as I am sure that it has a very reasonable answer.

The Presiding Officer: On that reasonable note, we conclude question time.

Civil Contingencies

The Deputy Presiding Officer (Mr George Reid): The next item of business is a debate on motion S1M-2918, in the name of Dr Richard Simpson, on civil contingencies. I call Dr Simpson to speak to and move the motion.

15:34

The Deputy Minister for Justice (Dr Richard Simpson): Civil contingency planning is part of the everyday business of Government, the emergency services, health boards, the utilities and the local authorities, as it is for the private sector and others. That planning, which is rooted in the principle of integrated emergency management, has served us well in responding to a range of incidents throughout Scotland over many years. Incidents might differ in scale, from an atrocity as horrendous as the Lockerbie disaster to the potential threat that was posed by the millennium date change. However, it is through the process of identifying the risks, planning the responses and practising the procedures that are to be followed in an emergency that we can be prepared for any eventuality.

The unprecedented nature of the events of 11 September last year has necessitated a review of our emergency planning and a fundamental reassessment of what needs to be done to enable us to respond to a new scale of potential threat.

The public rightly have a high expectation of the protective measures that should be in place, particularly in the light of the attacks on Washington and New York and the subsequent anthrax fatalities in America. For the next few minutes, I will outline the contingency planning arrangements that we will follow in Scotland and how they will link with such planning throughout the United Kingdom. I will also detail the actions that we have taken since the dreadful events of 11 September.

Tommy Sheridan (Glasgow) (SSP): I want clarification on an important point in relation to the atmosphere that was created by the situation after 11 September. Will the minister confirm that the anthrax deaths to which he referred were not caused by external actions, but by internal, American actions?

Dr Simpson: That is a matter for the American Government. I do not have the information to confirm or reject that point. Investigations are being pursued. However, a significant number of dubious packages were received in Scotland, but they all turned out to be either hoaxes or false alarms.

We are fortunate in Scotland that we have tried and tested structures in place that have served us well. We have a top-down and bottom-up approach that is based on the principle that the response to major emergencies should be primarily at local level, but should be supported as necessary by central emergency machinery.

At national level, the central machinery is led by the Scottish emergencies co-ordinating committee, which is chaired by the head of the justice department. That committee brings together senior representation from all the emergency services and other key organisations, such as the health service, the local authorities, the military, the utilities and a wide range of other players. The committee can deal with an immediate emergency or consider what must be done in the longer term to upgrade our capacity to respond to the widest range of possible threats. The committee commissioned much of the new work that has been undertaken in Scotland since 11 September.

At regional level, there are eight strategic emergency co-ordinating groups, which are based on police and fire authority boundaries. Those involve chief constables, fire-masters, local authority chief executives and others. They have a key role in planning and co-ordinating civil contingency planning across geographical and sectoral boundaries and in organising training, in developing exercises, and in promoting mutual aid.

At local level, each of the 32 local authorities in Scotland has a council emergency planning officer. Those officers mainly report directly to their council's chief executive. Their roles vary slightly from authority to authority, but their primary purpose is to ensure that the full range of local authority services and resources can be brought to bear in an emergency. In that context, planning must embrace the full range of possible emergencies, from bad weather in winter to a full-blown emergency, such as the recent example in Perth, in which an oxyacetylene tank was found in a lock-up garage that had caught fire. The emergency planning officer responded, along with the fire brigade, and the area was cleared. I want to praise the authorities for their excellent work in protecting the public in that situation. That was exactly the sort of locally co-ordinated response that we expect in an emergency of that sort.

At each level, the emergency planning machinery has been at full alert since 11 September. The single fundamental philosophy that runs through the emergency planning structure in Scotland is that there should be a planned and integrated approach to all disasters, irrespective of their causes.

It is not only in Scotland that arrangements have been reviewed. Central Government, led by the

civil contingencies secretariat in the Cabinet Office, has significantly increased examination of the ability to protect the public from, and to respond to, the terrorist threat. The Scottish Executive has been involved in the full range of initiatives that have emanated from London. The Executive is represented by either the First Minister or by the Deputy First Minister on the Civil Contingencies Committee, which is chaired by the Secretary of State for the Home Department. We are also represented on two sub-committees that the Civil Contingencies Committee set up in the wake of 11 September. One committee is looking in particular at the threat from biological and chemical terrorism. The other is promoting improvements in the overall level of resilience across all sectors in our society.

Dennis Canavan (Falkirk West): In the event of the threat of attack by a weapon of mass destruction, which members of the Scottish Executive and which officials would have access to the bunker?

Dr Simpson: I have not been introduced to the bunker yet, so I cannot answer that question. However, I will write to Mr Canavan and tell him whether the bunker still exists and which officials and members would go into it.

Resilience, which is important, is a paradox. Although it appears to be necessary that we are ready for anything, such a level of preparedness cannot realistically be delivered. That paradox is an inherent and unavoidable part of the modern world in which daily life is sustained by a network of unprecedented complexities and interdependencies. Resolution of the resilience paradox relies on the most adaptable components of any system—people and their knowledge.

Contingency planning, new or old, is about enabling organisations to manage their own risks better. I know that the Deputy First Minister was engaged in an exercise in Inverness in recent months, which involved UK elements as well as Scottish elements. I will take part in a desktop exercise in the near future. Those two types of approach are used regularly.

Much work is under way on improving risk management within Government and in the public and private sectors.

Mr Lloyd Quinan (West of Scotland) (SNP): Will the minister take an intervention?

Dr Simpson: I am getting through my time, so I had better not.

Mr Quinan: Will the minister give way on one small point?

Dr Simpson: No. I am sorry, but I must go on.

Because much work is under way on improving

risk management within Government and in the public and private sectors, contingency planning to address identified risks becomes a routine part of business.

In my last few minutes I will address some of the issues that the Scottish emergencies co-ordinating committee has considered recently. Our recent work has resulted in increased activity by all members of the emergency planning machinery at all levels. We have improved guidance on dealing with the threat of chemical and biological terrorism, which has been issued to health boards and local authorities. Specific guidance on anthrax has been issued to general practitioners. We have put in place protocols through which laboratory facilities in Scotland will undertake analyses of suspect packages, the number of which, as I said, has increased since the 11 September incident.

Provision of resources for personal protective equipment has been extended to police and ambulance workers as well as fire service workers, so that the emergency services and first-line responders to chemical or biological incidents are protected appropriately. The provision of new resources for the fire service to enhance its ability to carry out heavy rescue work was the subject of recent special funding, as was the provision of decontamination equipment.

Mr Quinan: Will the minister take an intervention?

Dr Simpson: I think that I am into my last minute.

The Deputy Presiding Officer: You have two minutes, minister.

Dr Simpson: In that case I will take an intervention from Mr Quinan.

Mr Quinan: On decontamination equipment, will the minister tell us how many facilities we have in Scotland to deal with civilian nuclear radiation leaks? How many decontamination centres for nuclear accidents do we have in Scotland?

Dr Simpson: I propose to return to that point in my summing up, if I may.

Much of the work that has been done has been groundbreaking. We have come a considerable way in the past five months, but there is a long way to go and we are in no way complacent. The forces have been on a state of alert since 11 September last year. It is important that that momentum is maintained so that Scotland's reputation and ability to respond to threats is enhanced. The public will expect and accept nothing less.

I am sure that the Parliament will join me in paying tribute to all the organisations that are working to ensure that Scotland is prepared for

any contingency that might arise.

I move,

That the Parliament acknowledges the importance of civil contingency planning and, in the light of the atrocities in the United States of America on 11 September 2001, approves the ongoing work by the Scottish Executive, the police, fire and ambulance services, the National Health Service, the local authorities and others, in promoting measures to enhance the safety and protection of the people of Scotland.

15:43

Roseanna Cunningham (Perth) (SNP): I feel as though I have been on permanent duty in the chamber yesterday and today.

I endorse—as, I suspect, does everybody in the chamber—the minister's comments on what happened on 11 September and what that means for emergency planning. The Parliament met on the Wednesday immediately following that appalling event to express our condolences to the people of America and to all those who were bereaved. The following month, my party used some of its debating time to allow the Parliament to focus on the developing international situation and Scotland's role in it. As I pointed out then, the attack on the World Trade Center affected not only the USA; citizens of many nations and people of many religions were killed.

The events of that day also brought home with terrifying clarity how susceptible our day-to-day lives are to being completely and totally overturned by the actions of a few determined individuals. The shock waves of the events of 11 September are still being felt and I have no doubt that it will take a long time for the aviation industry, in particular, to recover.

The prevention of such atrocities must always be our priority, but we need to be pragmatic and to realise the importance of civil contingency planning and the ability to react in the most practical and efficient way possible in the event of any major incident. It is about thinking the unthinkable. The importance of the role that is played by those who must think the unthinkable should not be overlooked. It must be a strange and difficult job constantly to refine plans and preparations that such people hope fervently will never have to be put into practice.

However, those plans do get put into practice. We are talking not only about wilful acts of terrorism, but about the destructive acts of God that strike communities throughout the country from time to time, and situations such as that which occurred in my constituency on Sunday night. I know that my constituents are grateful for the way in which that situation was dealt with. I know that they are also grateful for the way in

which local council officials, alongside the emergency services and the armed forces, reacted to deal with the aftermath of the dreadful flooding that struck Perth in 1993. I have no doubt that other members will have stories from their constituencies that demonstrate the importance of an efficient plan's being put into operation as soon as disaster strikes.

Although I acknowledge the importance of that work and am glad to take the opportunity to applaud those often unsung heroes who are involved in it, I am a little puzzled about why the motion has been brought before us as Executive business. No specific document or strategy is promoted in the motion, nor does the motion focus on any one aspect of contingency planning, which is a wide-ranging subject.

If the motion had proposed that more resources, for example, were to be provided, I would see why we are having the debate. I know that the money for the fire service that has been boasted about recently is just one of the Executive's famous reannouncements. The Executive's budget for civil defence and emergency planning actually remains static over the four years from 2000-01 to 2003-04. The Executive might at least commit to index-linked increases.

I could understand why we are having the debate if the priorities for contingency planning were being re-evaluated or if the command structure in the event of an emergency was to be reorganised. Even if the motion did something other than merely acknowledge the importance of civil contingency planning and approve of the extremely important work that is done by the diverse agencies that are involved in civil contingency planning in Scotland, I would have understood the purpose of the debate.

The debate should have a point. I therefore take the opportunity to voice concerns that have been expressed about the potential for an incident for which no amount of planning could possibly prepare us. As contingency planning must be as much about prevention as it is about reaction, I urge the minister to read the fact sheet on nuclear time bombs that Greenpeace has circulated, and to bear it in mind at any future Cabinet discussions on nuclear power. Given Kevin Dunion's new role as an adviser to the Executive, I dare say that the minister would find it easy enough to get hold of a copy of that fact sheet. I will be happy to send him one if he wants to see it. That paper puts it thus:

"Since September 11th, the world is facing a new dimension of threat; aviation risks multiplied by nuclear risks; a plane crash on a nuclear installation, in the past seen as 'improbable' is now a 'credible' scenario. From now on nuclear plants have to be seen as nuclear timebombs waiting to be detonated, by themselves—or by terrorists."

Lothar Hahn, the chairman of Germany's reactor

security commission, which advises the country's Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, has warned

"against the illusion of believing that it is possible to effectively protect reactors against events like those in New York or Washington".

He further explains that preparations can at best be realistic against minor occurrences. He says that strengthening the reinforced concrete cupolas or containment over existing reactors makes little sense.

The report continues to inform us that, in most countries, an aircraft crash on a nuclear reactor has not been taken into consideration. Indeed, such events have been dismissed as improbable. In most countries, risk assessments of plane crashes have been limited to the investigation of the impact of a small aeroplane, such as a Cessna 210, crashing into a nuclear reactor. Members will not need to be reminded that the aircraft that ploughed into the twin towers of the World Trade Center on September 11 were two Boeing 767s.

The kinetic energy of a Boeing 767 is more than 650 times greater than that of a Cessna 210 with a full fuel tank, and the amount of fuel on board each Boeing aircraft was almost 250 times greater than the maximum amount of fuel that can be carried by a Cessna 210. That means that the current design and construction requirements and regulations in countries that operate nuclear reactors are at a level of protection that is far below that which is required to withstand an attack such as that which was carried out on 11 September.

I think the answer to the question that Lloyd Quinan asked about the number of decontamination units in Scotland is that there is none.

We should, by all means, recognise the importance of contingency planning, and we should of course applaud the often unseen work that the various authorities do but, please, let us have no more vague motions such as the one that is before us; rather let us have more practical debate in the Parliament.

15:50

Lord James Douglas-Hamilton (Lothians) (Con): It is right that high priority is given to civil contingencies and that there should be the closest co-operation between central Government, local government and the emergency services.

Civil contingencies can arise for any number of reasons: for example, an aircraft disintegrating and crashing, as happened at Lockerbie; an oil rig exploding, as happened at Piper Alpha; radioactive clouds and rainfall over Scotland, as

occurred after Chernobyl; flooding, which occurred in Perth following a rapid melt of snow; infection to livestock, as happened with foot-and-mouth disease; or food poisoning, which gave rise to food hazard-warning notices.

For each such case, it is essential that emergency systems should switch into top gear. In that regard, I ask for the following reassurances about problems that have arisen in the past. At the time of the Lockerbie disaster, the telephone system in the south-west of Scotland was jammed with calls following the tragedy. It was very difficult for the Secretary of State for Scotland's office to get through to the local police. Can we be certain that emergency communications will be immune from being jammed and that they will operate effectively? That might really matter, and I cannot help recalling that, following the events of 11 September, the Speaker of the House of Representatives had difficulty getting through to the President's office. It is obvious that communications must work.

Counselling will be necessary in cases of emergencies that involve great trauma or stress for those who perform essential services. My eyes were spared the worst of what happened at Lockerbie, but I know from social workers, from those who identified the deceased, and from some of the police who worked—literally—around the clock, that they were deeply affected by their experiences at the sharp end of the ordeal.

High-speed responses will save lives. I am president of the International Rescue Corps and, after an earthquake or comparable disaster, if the corps gets a team in really quickly, it will be extremely effective. The IRC has charitable status, which assists Governments. I am grateful for the support that is given to it by the Department for International Development. The doctrine of rapid response applies not just to the IRC; it should apply to all emergency services.

I remember the flooding in Perth, when the River Tay broke its flood banks. Within about nine hours, the council house scheme to the north of Perth was flooded. I could not help feeling unqualified admiration for the police and soldiers who managed to rescue those who were affected, some by boat. If they had not acted quickly, lives could have been lost.

Dr Winnie Ewing (Highlands and Islands) (SNP): Does the member agree that any idea of replacing stand-by boats with helicopters, which is being mooted by one of the oil companies, must be condemned?

Lord James Douglas-Hamilton: It is absolutely essential that the effectiveness of proposals is tested and proved before those proposals are put into operation. If a system is not working

effectively and in the best interests of our country, it should not continue.

We must be prepared for threats of incidents that we have never experienced, and I am glad that local emergency planning networks have been on alert since 11 September, and that Scottish ministers have been attending meetings of the UK Civil Contingencies Committee. It is important that new guidance on how to deal with chemical, biological and radioactive substances has been issued, and that guidance on dealing with anthrax has been forwarded to doctors. It is also welcome that the police have their own centre for improving security and intelligence. I understand that the Scottish emergencies co-ordination committee has met to review arrangements throughout the emergency services.

Prevention is, of course, much better than cure, as Roseanna Cunningham said. Will the minister confirm that, whatever might arise, communications will function with maximum effectiveness? The speed of response must be like lightning, with those concerned having been trained to a very high state of readiness. We must be fully prepared for all contingencies so that full recovery can, and will, take place speedily. In other words, we must concentrate on prevention, preparedness, response and recovery.

Counselling might be a lesser priority but, in a compassionate society, nobody should have too great a burden to bear. In the wake of a great tragedy, counselling as well as time can be a great help in healing scars.

I welcome the minister's statement and hope that he can give us appropriate reassurances.

15:55

Donald Gorrie (Central Scotland) (LD): I am sorry that Dennis Canavan is not still here because I wished to assure him that, to the best of my knowledge, the bunker—which is on Corstorphine hill in the area that Margaret Smith now represents and that I used to represent at Westminster—has been closed down and is, I think, used for storage or something similarly mundane. To the best of my knowledge, the list of people who are privileged to use the bunker included very few elected politicians. It consisted of serious people—generals, chief executives of councils, senior civil servants and so on. The elected peasantry were kept well away.

I would like to approach the debate from a different angle. What the minister and other members have said is sensible, but as well as concentrating on the possibility—the unlikely possibility, we hope—of a really major disaster, I hope that we can concentrate as much, if not more, on minor disasters.

James Douglas-Hamilton mentioned the floods at Perth; an area that I used to represent as a councillor suffered floods two years out of three. There was improvement in the way those floods were dealt with, but there was certainly a lot of room for improvement.

We need more practice in dealing with, for example, railway smashes. If, as we hope, there is not a real one, people could practice on pretend ones. Other examples on which there should be practice are an explosion at the Grangemouth chemical works or a slight radiation leak. I hope that we will not examine so fiercely the possibility of major disasters that we do not practice for, and implement a really good system for, the minor disasters that are much more likely to happen. We should be able to co-ordinate better our responses to such disasters, and the people concerned should be able to learn about the system for dealing with them.

What the minister said was very sensible and I am happy to leave my contribution at that.

The Deputy Presiding Officer: Three members have indicated that they wish to speak in the open debate. I ask them to keep their speeches to four minutes.

15:58

Mr Tom McCabe (Hamilton South) (Lab): Most people would agree that civil contingencies will seldom, if ever, be the hot topic of conversation as people go about their daily lives—that is, until something happens or goes wrong, at which point the public quite rightly expect a comprehensive and professional response that will not only save lives, but will minimise disruption and distress for any people who are affected.

It is only right to acknowledge that, for a long time, we in Scotland have had the plans, the facilities, the training and the communications to ensure that we are able to deal with whatever happens in any part of Scotland. Mention has been made of the Lockerbie disaster. That is a classic case of the emergency services kicking into action in a very professional and co-ordinated way. They attracted praise from around the world for the way in which they were able to deal with what can only be described as a major tragedy and a major incident here in Scotland.

We have the facilities and have had them for a long time. As was rightly pointed out by the minister, every local authority in Scotland has an emergency planning officer and emergency planning procedures, which are reviewed regularly. The Scottish Executive is represented on the United Kingdom's Civil Contingencies Committee by, I believe, the First Minister and the Deputy First Minister.

I know from experience that major exercises take place to simulate live situations so that all our emergency services and public services can come together and test their readiness and their procedures for dealing with any incident that they might face. Those exercises attract observers from around the world and we have gained considerable recognition for the way in which we try to prepare for any eventuality. Roseanna Cunningham was correct to acknowledge that all such activity is put together by professionals who do their best to ensure that we are as prepared for a civil emergency as we can be, yet do so in the sincere hope that all their work will never be put into action. We must acknowledge that the people who do such work do it in exceptionally difficult circumstances and require extraordinary motivation. All the evidence suggests that such people are motivated and that their work is useful and valued.

Mention has been made of the terrible incidents that took place on 11 September last year. There is no doubt that those incidents have prompted requirements for new precautions and have refocused aspects of our civil contingencies planning. As the minister acknowledged, those events have caused some obscure groups to make real and hoax threats against individuals in Scotland. The purpose of today's debate is not only to allow people to examine our level of readiness, but to explain that readiness and to offer reassurance to the general public in Scotland that the necessary procedures are in place.

It is important that we strike a balance so as to give proper reassurance to the public that adequate attention is being paid to civil contingencies, while avoiding the danger of creating unnecessary anxiety. I hope that we can use today's debate to strike that balance. Public servants should account for the plans that they make on our behalf, but they should also be allowed to get on with that important task without undue interference, without scaremongering and, most important of all, without politicians making political capital at the expense of people's peace of mind.

16:02

Colin Campbell (West of Scotland) (SNP): I approve of all the efforts that have been made to date by the emergency services, which were alerted by the tragedy of 11 September.

In the aftermath of 11 September, I asked the Scottish Executive several questions because I was concerned to establish what had and had not been done. A Scottish Executive answer on 13 December established how much money had been allocated to emergency planning under the civil protection element of the grant-aided

allocation. The sums seem small: £76,000 for Inverclyde, £99,000 for Renfrewshire and £78,000 for West Dunbartonshire. I presume that the money is allocated on a population basis, rather than on an area's proximity to a potential risk.

I assume that the sums are based on a risk assessment that presupposes an extremely low possibility of a civil emergency. It appears that councils are satisfied with the allocations; an answer on 7 January from Richard Simpson to one of my parliamentary questions indicated that no local authorities have requested additional funds for emergency planning following the events of 11 September. As Roseanna Cunningham said, civil emergency financial provision for this year and the next two years is the same as it was last year. I wonder whether there is some complacency among councils and the Scottish Executive.

On 25 September, I received a reply from Iain Gray to a question on the nuclear emergency exercises in which the emergency services, local authorities and other agencies took part. There were six exercises in 1999, eight exercises in 2000 and six exercises in 2001. In the light of 11 September, I asked what non-nuclear emergency planning exercises had taken place since 1990, where they took place, what the purpose was and what organisations and staff had taken part. I expected at least to get answers from the start of the Scottish Parliament in 1999. However, the answer that I received was:

"This information is not held centrally."—[*Official Report, Written Answers*, 20 November 2001; p 171.]

That information is essential and should be in the hands of the Scottish Executive to inform its future decisions.

There are eight regional strategic emergency planning groups in Scotland, which are usually chaired by chief constables. The groups meet twice a year. The Scottish Executive's aim, which is a little underambitious, is to attend at least one annual meeting of each group. Scottish Executive representation at all such meetings would add to the sense of purpose and seriousness that those meetings demand. I would like to know how many of those meetings Scottish Executive representatives have attended.

A question about Scottish Executive consultation with the Ministry of Defence on the security of key installations brought the expected response that security is a matter for the UK Government and that

"emergency planning policy relates to planning for the consequences of incidents not to security issues."—[*Official Report, Written Answers*, 13 December 2001; p 382.]

I would have thought that the police would have some locus on security and that they would be in

liaison with the armed forces. I do not expect to learn the details, but there must be clear guidelines for the overlapping spheres of influence, in emergencies, of the military and the police. I am sure that the reality is not as uncoordinated as the reply would suggest.

As Tom McCabe said, a balance must be struck between reality and fantasy. September 11 was both, and it was terrifying. A balance must be struck between overanxiety and complacency. I would like to move the existing balance towards constant caution and vigilance.

16:06

Elaine Smith (Coatbridge and Chryston) (Lab): There is now a perception that the world is a more dangerous place than at any time since the Cuban crisis of the 1960s. As we have heard, we face the unpredictability of post-September 11, with terrorists using hitherto unbelievable weapons against civilians. As ever, the minnows of the terrorist world leap on to the bandwagon of fear.

We have also heard that, in Scotland, caustic substances were sent to some of our MSP colleagues and staff, and threatening e-mails were sent to some members. That despicable behaviour means that we all have to be more vigilant.

The need for updated civil contingency planning has now reached a new high, not only as the result of potential terrorist outrages. Global warming might change weather patterns to an extent that we can only guess at. As others have mentioned, flood warnings, which were formerly comparatively rare, are now commonplace. Places in Scotland that never suffered floods are now looking to the authorities to make sandbags readily available. In Coatbridge, there have been increasingly disruptive incidents of flooding.

So far, the emergency services have responded well to whatever crisis has arisen. National major emergencies are handled through the Scottish Executive emergencies room—SEER—in Edinburgh. Depending upon the scale of the situation affecting Scotland, Executive ministers meet under the chairmanship of the First Minister.

Although SEER is regularly open for planning exercises—obviously with new concerns since September 11—the facility was last used in earnest for handling the fuel crisis in September 2000. Before that, it was used in the anticipation—happily unrealised—of problems arising from the 2000 date change, or the millennium bug.

It is a nice touch of irony that "Scottish Executive emergencies room" produces the acronym "SEER", because it is never possible to foretell and plan in detail for every contingency. What can be done is to consider known potential dangers

and plan for the possible effects of different scenarios. The causes of any given event can be investigated at a later stage, but the priority must be to tackle a situation as it arises, in line with earlier contingency planning.

There is a linked structure of emergency planners throughout the UK: from the London Cabinet Office civil contingency secretariat down to the emergency planning officers of each of Scotland's local authorities. North Lanarkshire Council has an emergency planning unit, with two dedicated staff. The unit takes its duties seriously, and continuously tests and evaluates its methods and practices in consultation with all partners. Training and exercise events covering a range of scenarios and issues are tackled all year round. The council tells me that each year it responds to approximately a dozen incidents that require a co-ordinated and integrated approach. I take the opportunity to congratulate North Lanarkshire Council on the work that it does in contingency planning.

Throughout Scotland, planning sessions entail liaison with police, fire and health authorities, as well as, on occasion, water boards, the nuclear and chemical industries, the Scottish Environment Protection Agency, the power and gas industries, the telecommunications industry, railway companies and the military. They might also entail co-ordination with major local industries, most of which have disaster recovery plans. We can be satisfied that such an approach is taken by all emergency planning authorities in Scotland, whether the event is a nuclear accident, a terrorist attack or a local flooding problem.

Since spring of last year, at the request of the Convention of Scottish Local Authorities, funding for civil defence expenditure, although it has been maintained at £2.7 million, has been mainstreamed into the general grant arrangements for local government. Local authorities can decide how that allocation is spent and use it to provide emergency planning resources that are in excess of the previous grant provided under regulations. I hope that that level of expenditure will continue and perhaps increase, and I would welcome the minister's comments on that.

As a general precept, "be prepared" has much to recommend it. I am sure that everyone who has some responsibility for the safety and well-being of the people of Scotland appreciates the continuing work and would take the opportunity to congratulate the people who are specifically charged with planning for and coping with the unthinkable.

The Deputy Presiding Officer: We are on schedule, so times for closing speeches should be as indicated—three minutes, three minutes, five

minutes and eight minutes.

16:10

George Lyon (Argyll and Bute) (LD): I agree with everything that most members have said about the need to step up our precautions and ensure that all necessary measures are taken to prevent any major terrorist incident—indeed, any major incident—from taking place in Scotland.

Since September 11 and the declaration of war on terrorism, the risks of terrorist attacks or retaliation against the coalition countries have increased. It is vital that the Executive take every precaution to ensure that we safeguard our people and our property.

It is interesting to note that a Government review of the issue in 1989 concluded that a disaster response would not be helped by the creation of anything in the nature of a national disaster squad. The review suggested that prime responsibility for handling disasters should remain at the local level, where the resources and expertise were to be found. That important point was demonstrated in Scotland by the way in which the Scottish Executive responded to the massive disaster that hit rural Scotland only a year ago.

Foot-and-mouth disease was the first major disaster that the Scottish Executive had had to deal with since devolution. Most independent commentators would agree that foot-and-mouth was dealt with relatively well in Scotland. I have spoken to many of those who were involved at the sharp end—farmers, vets, hauliers, local government officials and members of the army. Time and again, they made the same key points about why the response in Scotland was relatively successful and why we were able to tackle and overcome the disease, which was a major disaster, in such a short space of time.

The first and most important factor was the fact that the lines of communication between Edinburgh and those who were dealing with the disease at the front line were short. Local government played a key role, especially Dumfries and Galloway Council, which organised the response. An excellent partnership was forged among the Executive, local government, the army, the police and all the other services that were involved in responding to the disease.

Dumfries and Galloway Council started with an advantage, in that it had gained huge experience from the Lockerbie disaster—the disaster room and the plan of action were in place, which was helpful. There was good local co-ordination of services. The ability to feed back good local knowledge on the huge practical problems that were involved in culling and burning thousands of animals was crucial. The members of the council's

leadership who had an intimate knowledge of the farming industry played a key role. The quick decision-making process was also important in our handling of the crisis.

We must learn those lessons and I hope that they will feed into the plans and contingencies that the Executive puts in place.

16:14

Bill Aitken (Glasgow) (Con): Elaine Smith was correct to point out that we live in a changing world. That, in itself, is justification for the debate. All members are well aware that the world changed irrevocably on September 11. Although we must not overdramatise the threat, we must recognise that the threat exists and is potent.

We must also recognise that we are becoming much more prone to natural disasters. As Elaine Smith highlighted, climate change has the potential to cause significant problems. We must ensure that the right mechanisms are in place to ensure that in the event of any problem—man-made or natural—the appropriate response can be effected swiftly and certainly to the benefit of the citizens of Scotland.

Lord James Douglas-Hamilton was correct to highlight one or two of the issues that arise. For example, those who assist at times of great natural or man-made disasters frequently find themselves in a traumatising situation. I know personally some people who were involved at Lockerbie and, although they are pretty robust individuals, they were all considerably affected by that situation. Counselling is important, but perhaps we need to recognise that, if counselling is to be effective, it must be offered to those who are likely to be exposed to such traumas prior to the event. Counselling should be part of the training process for all those who are involved in the services that are required to respond to such emergencies.

Speed of response is absolutely vital. Along with that, there needs to be a proper communications system that is robust enough to be able to withstand anything that might be thrown at it. Clearly, it is difficult for those who must make decisions on the steps that are necessary to safeguard the population if they cannot be apprised of the situation on the ground. Another issue that must be considered is the possibility of chemical and germ warfare. Steps have been taken to deal with anthrax, but perhaps we also need to examine how smallpox would be dealt with.

We all hope that we shall never need to return to this debate; nonetheless, the debate is necessary. If we have highlighted the importance of civil contingencies, the debate will have been worth

while. I found what the minister said reassuring, but we must guard against complacency.

16:17

Michael Matheson (Central Scotland) (SNP): In preparing for today's debate, I was interested to note that the Executive's website appears to contain only one publication that refers to civil emergencies. Although the Parliament is debating civil emergencies this afternoon, the subject does not appear to have been at the top of the Executive's agenda in years gone by.

Members have covered most of the issues that required to be addressed. The minister's speech was relatively reassuring. Several members have highlighted that the planning process for dealing with civil emergencies is crucial in ensuring that there is an effective response when an emergency occurs. Sadly, effective planning for an emergency can be tested only when the emergency itself takes place, but we are fortunate that such emergencies rarely occur. However, there is always a need to ensure that the plans are updated and, where possible, reviewed to consider whether changes and improvements can be made.

A lot of staff commitment is required for emergencies. Several members have referred to the role of the police, the fire service and the ambulance service but, as members have indicated, local authorities and health board staff also have a role to play. However, many local authority and health board staff have not been given a dedicated role in emergency planning. The staff are often officers of the council or members of the health board who have volunteered to take up a role during a civil emergency. For many of them, that involves a considerable level of commitment and dedication as they need to be trained for an event that they hope will never occur. By volunteering, the staff put themselves on 24-hour call, 365 days a year. Although they are not called upon often, the Parliament should record its recognition of the dedication that many members of staff display.

Climate change was mentioned. Flooding seems to be an increasing problem in several areas across Scotland. The best known of those areas is probably Perth, although considerable work has been done there to address that problem. The Executive has produced figures for the potential rise in the cost of flood damage from the present figure of £28 million. The figures show an increase of 27 per cent by 2020, and by 2050 the increase will be some 86 per cent. Many of us will not be around in 2080, but the cost will have increased by 115 per cent by then. Adequate preventive measures need to be put in place to ensure that such flood damage does not take place.

John Young (West of Scotland) (Con): I will not be around in 2080. Is the member aware that two or three weeks ago the Dutch Government indicated that, due to the vast increase in water levels in the North sea, one third of Holland will be under water within the next 300 years?

Michael Matheson: That example illustrates the very real issues that relate to climate change and the on-going problem of flooding, which is not only a Scottish or a UK issue, but one that affects countries across the world. Holland has a particular problem in that respect.

It is interesting to note that, under the Flood Prevention (Scotland) Act 1961, local authorities have a clear and wide-ranging responsibility for the issue. I hope that ministers will ensure that local authorities have the resources that they need to tackle the problem.

I turn briefly to the issue of terrorism. A number of members highlighted concerns about the possibility of a threat to nuclear power stations and nuclear weapons. I was interested to hear that, in Devonport and Plymouth, schools near the nuclear military facilities have radiation alarms. Medication—I believe that it is potassium iodide tablets—is also provided for children if an alarm goes off.

Will the minister inform members whether schools near a nuclear power station or a military facility such as Faslane will be offered a similar facility? It is essential that, if such an event were to happen, the appropriate measures would be taken to reduce the harm that it could cause to the local community.

Like Bill Aitken, I hope that the issue is one that we do not have to return to. However, it is essential to ensure that we have the proper plans and services in place to deal with emergencies.

16:22

Dr Simpson: The debate has been interesting and, contrary to Roseanna Cunningham's suggestion, it has been worth while.

I am grateful to members throughout the chamber for their constructive speeches. In that respect, Colin Campbell's measured tones were particularly helpful. I believe that the new interaction between central UK authorities and the devolved authority has to be tested—indeed, it was tested in our last exercise. The relationship between central Scottish and the eight regional authorities is also important. The boundary areas, to which Colin Campbell referred, are important.

I thank Tom McCabe, Bill Aitken and others for saying that the debate was worth while. I believe that the debate has given members the opportunity to make an input, which is useful. As

Tom McCabe said, the debate has also given us an opportunity to reassure the people of Scotland that we are tackling the possibility of threats that we may face.

We have only to look at the past two years or so. Threats have included the millennium bug, which turned out not to be a problem, but for which careful planning was involved. The fuel protest, innocuous though it was, could have had a significant effect on our infrastructure had it been allowed to continue. Elaine Smith mentioned that.

George Lyon referred to the foot-and-mouth outbreak. It is true to say that Scotland handled the outbreak well. Our colleagues in the rest of the United Kingdom have considered some of the measures that we took and found them to be helpful.

A number of members referred to Lockerbie. Lord James Douglas-Hamilton and Bill Aitken made special mention of counselling. I was involved in a neighbouring practice to Dunblane when that nasty incident, which involved a lot of people, took place. I counselled some of the police officers who were involved in the Lockerbie incident and was involved in research on post-traumatic stress counselling that followed on from the Dunblane incident. We have learned a lot from the Lockerbie and Dunblane incidents and counselling is now available. However, some organisations such as the police require to make a culture change so that counselling is seen not as a measure of weakness, but as something that is important. I thank members for their comments on that subject.

Lord James Douglas-Hamilton mentioned communications systems. A variety of measures are available and they are reviewed regularly. Encrypted measures are now available, but I will not go into any great detail about them. However, I will say that the emergency communication network, which is a series of private wires, now interconnects the Scottish Executive, local authorities, police, fire and ambulance services and other agencies such as nuclear off-site centres, water authorities and several large industrial complexes. As a result, I hope that I can reassure Lord James on that issue.

Lloyd Quinan, Roseanna Cunningham and Michael Matheson referred to the energy sector. A plane crash on a nuclear installation has been recognised as a possible, not improbable, threat. Indeed, UK Government committees have been carefully examining that specific issue. Moreover, the operators of installations have for some time been required to draw up plans for the treatment of people in the immediate area of a nuclear incident, although such steps would obviously depend on the scale of the radiation release. The health authorities have just made available eight

mobile decontamination units for use in an emergency. That measure is supported by the fire service, which can provide the necessary equipment and personnel to deal with a large number of casualties. I hope that that will reassure Lloyd Quinan and Roseanna Cunningham.

Bill Aitken referred to natural disasters. Members will know that I produced a report on flu vaccination, part of which dealt with pandemics, and I can assure the Parliament that Scotland is prepared for such a disaster and that health authorities have plans to deal with it. However, now that I am a minister, I will ask those authorities to dust down their files and have another look at the matter.

Donald Gorrie, Elaine Smith, Michael Matheson and other members mentioned floods. I should point out that Ross Finnie opened SEPA's floodline, which provides flood warning information. That said, we are concerned by the current climate changes and will continue to watch the situation very carefully. The Executive and Whitehall departments are also working with the water industry to find out to what extent current resources could cope with a major water-related incident.

No members have referred to the security of our MSPs, even though some of them have been threatened. In particular, we are looking at and trying to deal with hoaxes. I want to state very clearly to any hoaxers who are out there that this is not a laughing matter or a joke. For example, the services in Strathclyde deal with 6 million telephone communications a year; however, they also have to deal with a vast number of hoax calls, which cause huge problems for our emergency services. One day, those hoax calls will cause major difficulties. I hope that the Parliament sends out a message that hoaxers should stop their joking and that anyone who is found to have made such a call will be prosecuted.

I believe that good structures exist, although I agree with the members who have said that we must not be complacent. As Scotland is a small country, with a small population and a small number of organisations, the lines of communication are tighter and we are able to work together. However, complacency is not an option.

I hope that all members will join me in praising the emergency services; indeed, many members did so in their speeches. Their work is important. For example, their response to the recent incident in Perth demonstrates their watchfulness and the effectiveness of their planning. The officers are all full time, not volunteers, although I understand Michael Matheson's comment in that respect. However, they have to perform other duties, and we must ensure that those duties are balanced.

I thank members for their speeches. The debate has been useful; I have certainly learned something from it. I realise that I have not answered all the points that have been raised—indeed, I am aware that I have not responded to one of Michael Matheson's points—but if members put their questions in writing, I will try to get back to them in writing. I will just end by saying that I hope that Scotland is well prepared for any emergency.

Scottish Parliament Salaries and Allowances

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a debate on motion S1M-2919, in the name of John Young, on the Scottish Parliament salaries scheme and the Scottish parliamentary party leaders' allowances scheme. There are two amendments to the motion.

16:29

John Young (West of Scotland) (Con): At the outset, I make it clear that I speak on behalf of the Scottish Parliamentary Corporate Body, not on behalf of the Conservative group or any other political entity.

All members know that, in this debate, we will discuss the Parliament salaries scheme and the party leaders' allowances scheme. The two proposals that are before Parliament would give effect to new salaries for members and ministers based on the recent report of the Senior Salaries Review Board and would provide for the leaders of the two main non-Executive parties to receive an additional allowance.

I should make it clear that the SPCB's role today is to facilitate the debate. The SPCB has not taken a view on the salary levels; we consider that to be a matter for Parliament. Whatever is decided today, the SPCB will ensure that the arrangements for it are implemented.

I will explain briefly the background to the salaries proposal that is before the Parliament. Before the establishment of the Scottish Parliament, the Scottish Office commissioned the Senior Salaries Review Board to undertake an initial review of salaries for members and ministers. The SSRB's recommendations formed the basis of the Scotland Act 1998 (Transitory and Transitional Provisions) (Salaries and Allowances) Order 1999, which was passed at Westminster.

One of the report's recommendations was that a further review should be undertaken within three years. The SSRB considered that, with the experience of the Parliament's having been in existence, it would be in a better position to assess salary levels more accurately. On 8 June last year, the Presiding Officer and the then First Minister jointly commissioned the SSRB to undertake such a review, and the board's recommendations were published on 18 December 2001.

The SSRB's initial review pegged MSP salaries to 86.5 per cent of MP salaries. However, with MPs receiving additional pay in April 1999 and

again in June 2001, MSP salaries fell to 82 per cent of MP salaries. In its report, the SSRB considered that, without some increase in salaries, MSPs would fall further behind members at Westminster. The board also considered that, with the rapid development of the Parliament, there had been an increase in the job weight of MSPs. It concluded that MSP salaries should be set at 87.5 per cent of MP salaries.

I offer those comments as a factual summary of the outcome of the review and the report. It should also be remembered that members do not work an eight-hour day; their working day can be considerably longer than that. Few members present would disagree with that observation.

The salary proposal makes provision for members to receive from 1 April an annual salary of £48,228, which is 87.5 per cent of what an MP will receive.

Today members are in the uncomfortable position of having to vote on their own salaries. We all accept that that cannot continue and that this should be the last time that it happens. However, under the Scotland Act 1998, Parliament cannot remove its discretion entirely; at the moment, the decision cannot be delegated to someone else. For that reason, the motion would confer on the SPCB the function of deciding salary levels for members and ministers. It is proposed that any future annual increases for members will be based on changes in Westminster salaries, to keep the linkage of 87.5 per cent. The same percentage increase will be made to ministerial salaries, in order to retain the linkage. It is likely that that mechanism will work for a considerable number of years and that no changes will be needed.

At the same time, it is recognised that Scottish circumstances could change in the future. In such circumstances, it might not be appropriate to retain the automatic linkage to Westminster salaries. For that reason, the proposal clearly places a responsibility on the SPCB first to review and then to implement any future pay changes, not only for members, but for ministers. That is important. When undertaking a review, the corporate body will be required to take appropriate advice on salary levels from outside bodies or individuals before implementing salary changes. That is a key point. The corporate body will also have to have regard to such advice.

On the party leaders' allowance scheme, members will be aware that an additional recommendation of the SSRB was that the leader of the main non-Executive party should receive a salary of just over £32,000 in addition to their member's salary. I should make it clear that during the review neither the leader of the SNP nor anyone else argued for such a salary increase.

What was argued was that party leaders should be provided with an allowance to support them in carrying out the extra duties that they have as parliamentary party leaders. That includes their role as party spokespersons.

The proposal on a party leaders' allowance scheme therefore provides that those qualifying party leaders of parties that are represented by 30 or more members in the Parliament shall receive an annual allowance of up to £21,000. The proposal extends the provision to the leaders of non-Executive parties that are represented in the Parliament by between 15 and 29 members—such a leader will receive an annual allowance of up to £11,000. I should make it clear that no work of a party-political nature can be undertaken in connection with party conferences and election campaigns using that money. The payment of such allowances will be transparent and all expenditure must be receipted and will be published along with information on the general allowances scheme.

I am not sure whether you wish me to move the motion at this point, Presiding Officer.

The Deputy Presiding Officer: You should simply move the motion, Mr Young.

John Young: I will now move the motion. I move that the Parliament, in exercise—

The Deputy Presiding Officer: It is not necessary to read the motion out, as it appears in the business bulletin. You should simply move the motion.

John Young: I was advised that it might have to be read out, but I shall simply move the motion and trust that everyone knows what it says.

I move,

That the Parliament—

(a) (i) in exercise of the powers conferred by Section 81(5)(b) of the Scotland Act 1998, confers functions as specified in the Scottish Parliament Salaries Scheme (SP Paper 554) on the Scottish Parliamentary Corporate Body;

(ii) approves the Scheme; and

(b) approves the Scottish Parliament Party Leaders' Allowances Scheme (SP Paper 555); and

(c) directs the Scottish Parliamentary Corporate Body to pay on and after 1 April 2002 the salaries and allowances stated in the Scottish Parliamentary Salaries Scheme and Scottish Parliament Party Leaders' Allowances Scheme.

16:36

Shona Robison (North-East Scotland) (SNP): I should make it clear that I am speaking in a personal capacity this afternoon. I begin by paying tribute to the business managers of the Parliament, who have had the difficult, if not impossible, task of trying to bring the salaries

issue to the chamber this afternoon. I am sure that that process has not been made any easier by my amendment. I am sorry for that, but one sometimes has to do what one believes to be right. I felt that it was important to give members a choice today. My amendment does that by proposing an inflation-only pay rise instead of a 13.5 per cent pay rise. That is the only credible option, given that Tommy Sheridan's amendment is, quite frankly, a distraction from the real debate.

Johann Lamont (Glasgow Pollok) (Lab): Will Shona Robison accept an intervention?

Shona Robison: No, I will not.

My reasons for lodging the amendment are simple. First, I do not believe that we should be voting at all on our own salaries. That is a hideous position to be in—I share John Young's sentiment on that—and I hope that we will avoid it in future years.

Secondly, I cannot vote for something that I am unable to defend in public and I cannot defend receiving a pay rise that is four times the pay rise of a nurse or equivalent to the annual income of many pensioners.

Thirdly, and most important, I do not believe that voting for the proposed pay rise will do anything to help to build trust and respect between the Scottish public and their Parliament. We should pay attention to the public mood on the issue. A poll today said that 99 per cent of the public thought that we should not accept the pay rise. We should listen to the views of the public.

Let Westminster MPs justify to the public why they should get paid more when they do less. That is an issue for them. I support parity, as long as it involves a pay cut for Westminster MPs. The issue is a question of political judgment about what is sensible and in the best interests of this Parliament at this time. I urge members to support my amendment.

I move amendment S1M-2919.1, to insert after "the Scheme":

"subject to the Scheme being amended as follows: in paragraph 2(1) leave out '£48,228' and insert '£42,918', and in paragraph 5 leave out from 'as specified' to end and insert 'in accordance with an index determined by the Parliamentary corporation.'"

16:38

Tommy Sheridan (Glasgow) (SSP): I am sure that I was not the only member who received a Christmas card from the Lanarkshire Acute Hospitals NHS Trust branch of Unison. That Christmas card had a poignant message. It said:

"Low pay is not just for Christmas—it affects us all year!"

It was signed

“On behalf of: all the forgotten, ignored and low paid NHS ancillary staff”,

most of whom are essential public service workers in our hospitals and none of whom was involved in the so-called independent Senior Salaries Review Board—neither, of course, were any of the 200,000 poor pensioners or lone parents in Scotland.

“Low pay is not just for Christmas”,

says the card, which points out that the minimum wage in our country is £4.10 an hour. The basic ancillary wage in hospitals in Scotland is £4.34 an hour.

My amendment would set new standards for politics and politicians in Scotland. It is absolutely right that politicians should be paid a decent wage and that we should not leave politics only to the wealthy. However, in setting wages for ourselves, we should base them on the reality of life for a large number of people in Scotland rather than on the wages of the tiny minority who receive similar wages to ours.

I thank the Scottish Parliament information centre for carrying out research for me for the debate. The research shows that 882,000 Scots exist on an income of less than £10,000 a year, that 1.8 million Scots exist on an income of less than £20,000 a year and that the average gross annual wage of full-time employees in Scotland is £21,110 a year. If professional occupations, associate professional and technical occupations and craft and related occupations are combined, an average skilled wage of £25,000 a year is reached. That is a decent wage. There is no need for a sackcloth or Jesus-sandals existence on £25,000 a year. Some 75 per cent of Scots earn less than that wage and 95 per cent of Scots earn less than MSPs' current wage. The poll that was conducted by “Scotland Today” and to which Shona Robison referred was not scientific. However, it is worth making the point that, of 4,779 calls, 71 people believed that MSPs deserved the proposed wage rise and 4,708 said that they did not—that is a majority of 99 per cent against the rise.

That we are already overpaid is bad enough, but to recommend a 13.5 per cent wage increase is an insult to public service workers who have been asked to accept a 3 per cent increase and to tighten their belts. It is an insult to those pensioners who are struggling to survive and were asked to accept an extra £5, as well as to that army of carers throughout Scotland who have been asked to accept an extra 70p.

It is time that we set politicians' wages at the average wage of skilled workers in Scotland. That would exert intolerable pressure on the even more grossly overpaid MPs in Westminster to bring

salaries into line with ordinary men and women, whom we are supposed to represent. I ask members to support my amendment and to vote to raise the level of respect for MSPs rather than the level of salaries for MSPs.

I move amendment S1M-2912.2, to leave out from first “; and” to end and insert:

“subject to the Scheme being amended as follows: in paragraph 1(1) leave out ‘any index of prices or earnings’ and insert ‘Retail Price Index’; in paragraph 2(1) leave out ‘£48,228’ and insert ‘£25,000’; in paragraph 3(1)(a) leave out ‘£36,240’ and insert ‘£10,000’; in paragraph 3(1)(b) leave out ‘£22,699’ and insert ‘£7,000’; in paragraph 5 leave out from ‘as specified’ to end and insert ‘by applying the percentage increase in the index’; in paragraph 7(1) leave out from ‘determine’ to end and insert ‘recommend to the Parliament the salaries payable, and it shall be for the Parliament to approve, amend or reject any or all of the salaries recommended’; leave out paragraphs 7(2) to 7(6), and in the Schedule leave out ‘£69,861’ and insert ‘£15,000’, leave out ‘£47,349’ and insert ‘£15,000’, leave out ‘£34,237’ and insert ‘£15,000’, leave out ‘£36,240’ and insert ‘£10,000’ and leave out ‘£22,699’ and insert ‘£7,000’; and

(b) does not approve the Scottish Parliament Party Leaders' Allowances Scheme (SP Paper 555); and

(c) directs the Scottish Parliamentary Corporate Body to pay on and after 1 April 2002 the salaries stated in the Scottish Parliamentary Salaries Scheme.”

16:43

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

I am surprised to find myself speaking at this stage of the debate, but I will briefly take the opportunity to say something, as I was one of the business managers involved in preparing the proposals that are before us today.

One reason why we were motivated to ensure that the combination of proposals was made is the erosion in salaries in relation to Westminster since the establishment of the Scottish Parliament, as has been mentioned. It is universally agreed in the Parliament that it is highly inappropriate that we should have to vote on our salaries. Finding a means whereby that should not have to happen again was seen as a priority. A scheme was agreed to redress the relationship between our salaries and those at Westminster by establishing the 87.5 per cent principle. The scheme was also designed to pass responsibility for further consideration of salaries into the hands of the corporate body so that MSPs would never again be required to face such a decision.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member give way?

Alex Johnstone: Not at this stage.

Dorothy-Grace Elder (Glasgow) (SNP): Will the member take an intervention?

Alex Johnstone: No. Not at this stage.

I am suggesting that it is appropriate to move on those lines because I believe that it is the

responsibility of Parliament to deal with the anomaly in which we find ourselves. All parties are now selecting candidates for the next elections to the Parliament and it is our responsibility to ensure that future candidates know what the remuneration is before they commit themselves to standing. Members of this first session of the Scottish Parliament must take responsibility and ensure that members in subsequent sessions will not have to suffer the indignity that the Parliament has had to suffer today.

16:45

Donald Gorrie (Central Scotland) (LD): We all find the subject very difficult and in no way do I criticise any member who comes to a different conclusion from mine.

After a lot of swithering, I have come to the following conclusion. We are fully entitled to the increase. Indeed, there is a good argument that we are entitled to more, because the differential between MPs and us is not acceptable.

I put the following argument to members for their consideration. We are in the unique position that we fix our own salaries. In my view, and that of many other members, the gulf between the better paid and the worst paid in this country is increasing and is unacceptable. We could make a gesture. Although we are entitled to the salary, as we work for it and we were allocated it, we could say that we would go for a rise only in line with inflation. That would be a gesture to help the lower paid and to shame the high-paid cats who pay themselves huge bonuses.

16:46

Irene McGugan (North-East Scotland) (SNP): I speak in support of Shona Robison's amendment. I am aware of the hard work and long hours that every member contributes and I am aware that elsewhere, whether in another political forum or even in the private sector, far higher remuneration would be available and remitted. However, we are in the new Scottish Parliament, not anywhere else.

It is also clear that the reason why we all sought election was for public service, not for private profit, irrespective of what some sections of the press may think or other individuals may imply. We are here to serve Scotland and to listen to Scotland.

Public service in our country is currently a matter of political controversy. That is a debate for another day, but it is clear that we should not distance ourselves from the public sector and those who work in it—people such as nurses, for example, who we argue are undervalued and underpaid. We should not reward ourselves in a

manner and at a rate that we are unwilling or unable to provide to others in Scotland.

The time will come, as it should in an oil-rich country such as Scotland, when we can legitimately and properly reward those in the public sector—a time when we can pay proper salaries and not provide platitudes. That time must come soon; it is long overdue. However, the time is not now. Our comparators are not in the private sector but in the public sector. We correctly pillory abuse of shareholder moneys by private sector bosses and we rightly condemn low pay in the public sector.

We can and should address our salaries, but as part of re-establishing the merit and worth of the public sector. We must defer to the sensitivities of others, particularly our colleagues in the public sector. We should use Shona Robison's amendment to re-establish the role and the importance of public services. We will do so not by making ourselves an exception to the rule, but by changing the rule for everyone.

16:49

Ms Margo MacDonald (Lothians) (SNP): I will vote for the SSRB's recommendation, but not because I particularly think that I am worth that amount of money. That is not what I am being asked to vote on; I am being asked to vote on the rate for the job, as agreed by an independent tribunal, which considered the matter with the agreement of the chamber. It is strange that now, when some members are sensitive about public opinion, they say that the valuation should be set aside. What will happen if an independent tribunal says that nurses, doctors, policemen or other public servants should receive an inflation-busting wage increase at some point in the future, because they have fallen behind their comparators in the public sector? It was agreed that the initial wage level for members of this Parliament was not commensurate with what members would get through service in the Westminster Parliament. There is a parallel in those situations.

Are we to say to a future arbitration body that we do not agree with its decision? The public are sensitive about the train drivers' demands for an inflation-busting increase that would raise their earnings above the average industrial wage. If we listen to the public, as my colleague Shona Robison urges, they might say that they prefer Tommy Sheridan's proposal. In that case, what will we say to the train drivers?

If we depart from the time-honoured tradition of paying the rate for the job, we will become involved in hypocrisy and double-dealing. Although I understand Donald Gorrie's wish to make a gesture towards people in the public sector who are underpaid, this issue is not gesture

politics—it is the real thing. Whether members like it or not, they will have to vote every year for a budget, which will include our salaries and the salary of every person who works in the Parliament. The issue cannot be dodged. If members agree to either of the amendments, we will have to go through the procedure again and the time will never be right to set a wage that is almost what we think we should receive.

I believe—I know that most members agree—that our wages should be equal to those of MPs in Westminster. [*Applause.*] I am glad that that meets with approval. However, that is not what we will vote for tonight. Members are concerned about public opinion, but they must set aside all consideration of the Scottish Television opinion poll, because if it had asked, “Do you think all MSPs should be beheaded?” I think that 99 per cent of people would have said yes.

My final point is about events in my office today. As members know, I have spoken in various places around the town today, some of which were draughty and cold. People know that I support the motion—I do not support the exact figures, but I support the principle that the rate for the job should be determined by independent arbitration—and although I have been inundated with faxes, e-mails and phone calls in support of my comments about Alain Baxter, not one member of the public has contacted my office about members’ pay.

16:53

The Minister for Parliamentary Business (Patricia Ferguson): I am sure that, for Ms MacDonald, the public of Scotland would make an exception on the beheading. I do not intend to make a long speech, but a couple of points must be put on the record. That obligation falls to me as one of the business managers to whom Shona Robison referred.

None of us wants to take part in the debate. Colleagues from all parties would agree that the topics that we should discuss are jobs, health, education, transport and crime. However, the motion was lodged by the SPCB and has been the subject of discussion among the four main political parties. The motion is based on an independent review by the SSRB and, if passed, will mean that today will be the last time that individual MSPs are required to vote on their pay. That is the crucial point.

Dorothy-Grace Elder: I am rather puzzled about why we are repeatedly hearing the mantra that things will be much better next time because the issue will not be publicly debated in Parliament. Surely next time MSPs will be accused of sneaking through a large wage rise. Is not it better to have a debate?

Patricia Ferguson: If Dorothy-Grace Elder’s premise were correct, I would probably agree with her, but it is not correct. The motion will mean that in future the SPCB will have an independent review of our salaries, the result of which will guide our salary levels. If the review recommends a decrease in our salaries, we will have to accept that. That is why I support that element of the motion.

If either of the amendments are agreed to, the effect will be different. Shona Robison’s amendment would give the corporate body the opportunity to decide which index our salaries should be pegged at. I do not think that that is what members want.

The motion takes annual increases out of our hands altogether and links us—rightly, I think—with the closest group of politicians that it could: our colleagues at Westminster. If, in future, the corporate body thinks that we have got the level wrong, it is open to it to commission an independent review and to determine how the annual increase should be made, based on the outcome of that review.

We need a period in which the Parliament and its members can concentrate on the work in hand without the diversion of what we should be paid. The motion facilitates that and it is for individual members to decide how they want to proceed. For the record, I confirm that all members of the Executive parties are free to vote as they see fit.

16:56

George Lyon (Argyll and Bute) (LD): I will not support the motion for two reasons. First, there is a desperate need for the Parliament to rebuild confidence among the general public. Any member who has chapped on doors recently and engaged with the general public will realise that there is extreme cynicism out there and a feeling that politicians are in it only for the money. Voting through a 13 per cent increase in our pay would reinforce that viewpoint.

Secondly, and more important, the SSRB premise is that MSPs are doing only 87.5 per cent of the work of our colleagues at Westminster. No one in the chamber believes that. If we support the motion, we accept that principle, in which none of us believes. I ask members to reject the SSP’s recommendation, to vote for the inflation-linked rise and to return to the subject at another time.

16:57

John Young: I shall be brief. As I said in my opening remarks, the role of the corporate body has been to facilitate the debate. A number of interesting comments have been made during the debate and, in the past 15 minutes, I received a

note posing a question.

The question was whether, if the motion and the amendments were disagreed to, the existing salaries order would remain in force—that is, whether members would continue to receive a salary. The uprating mechanism in the existing order is based on senior civil service pay mechanisms that will be replaced on 1 April. That means that members' salaries will not be uprated until such time as the Parliament agrees a motion on salaries. The same applies to the salaries of the Presiding Officer, his deputies and the ministers.

If the motion and amendments were disagreed to, another consequence would be that no party leaders' allowance scheme would be introduced. I mention that purely to make members aware of the facts. As I said at the beginning of the debate, I am speaking on behalf of the corporate body. It is up to members to make the decision—it is not up to me or other members of the corporate body. Whatever decision members arrive at, it is our duty to implement it.

Parliamentary Bureau Motions

16:59

The Presiding Officer (Sir David Steel): the next item is Parliamentary Bureau motions, of which there are three. I call Patricia Ferguson to move motion S1M-2927, on the approval of statutory instruments.

Motion moved,

That the Parliament agrees that the following instruments be approved—

the Pig Industry Restructuring (Capital Grant) (Scotland) Scheme 2002 (SSI 2002/43); and

the draft Public Finance and Accountability (Scotland) Act 2000 (Consequential Modifications) Order 2002.—*[Patricia Ferguson.]*

The Presiding Officer: I call Patricia Ferguson to move motion S1M-2928, on committee membership.

Motion moved,

That the Parliament agrees that the following Members be appointed to Committees—

Gordon Jackson to replace Elaine Thomson on the Enterprise and Lifelong Learning Committee;

Angus MacKay to replace Gordon Jackson on the Justice 1 Committee;

Brian Fitzpatrick to replace Bristow Muldoon on the Subordinate Legislation Committee; and

Elaine Thomson to replace Michael McMahon on the Local Government Committee.—*[Patricia Ferguson.]*

The Presiding Officer: I have received notice of a member wanting to speak against motion S1M-2928.

16:59

Fiona Hyslop (Lothians) (SNP): Although the motion contains the names of four members to appear as replacements on committees, one of those members is a ministerial parliamentary aide. There is an agreement among parties that they will not interfere in each other's nominations for committees. I support that agreement and will continue to support it.

Motion S1M-2929 talks about substitution on committees, and I hope that the agreement will continue when we consider further substitutions. At this moment, it might be appropriate for me to say, on behalf of the chamber, that we all extend our best wishes to Karen Gillon as she embarks on her maternity leave. The next substitution will, therefore, be in the Education, Culture and Sport Committee.

My concern about motion S1M-2928 is that it

has the name of Elaine Thomson. I have nothing against her performance as an individual member. Indeed, I understand that she was a diligent member of the Enterprise and Lifelong Learning Committee and represented particularly the views of the energy industry in her constituency on a national basis. However, it is inappropriate for a ministerial parliamentary aide to sit on a committee that scrutinises the Executive. The appointment of a ministerial parliamentary aide is under the patronage of the First Minister, so the aide is beholden to the Executive. It is inconsistent for that appointee to have also a proper job of scrutinising the Executive.

I alert members to the Scottish ministerial code, which states:

“Ministerial Parliamentary Aides may serve on Parliamentary Committees but they should not serve on Committees with a substantial direct link to their Minister’s portfolio.”

Let us consider the situation of Elaine Thomson. She is the parliamentary aide to the Minister for Enterprise, Transport and Lifelong Learning and is joining the Local Government Committee. Only yesterday, that committee produced a report that discussed business rates and recommended, rightly or wrongly—wrongly, in my view—that business rates should be returned to local council control. How can a member sit on a committee that is considering business rates and take a neutral position and at the same time represent the minister’s interests?

I refer members to paragraph 4.10 of the ministerial code, which says about ministerial parliamentary aides:

“They should also exercise discretion in any speeches or broadcasts which they may make.”

The paragraph goes on to say:

“They must bear in mind that, however careful they may be to make it clear that they are speaking only as backbenchers, they are nevertheless liable to be regarded as speaking with some of the authority which is attached to a Minister.”

That is why the Scottish National Party objects so strongly to the appointments of ministerial parliamentary aides in the first place but, more important, objects to those aides joining committees. To do so undermines the committees’ independence, which is so vital to Parliament.

We have a situation in which probably most of the people sitting on the benches opposite have at some point been a full member of the Executive, a deputy minister or a ministerial parliamentary aide. I see Elaine Smith shaking her head. Perhaps her day will come. There is a serious point here. We cannot have a situation in which we have a diminishing number of back benchers to serve on committees. We must preserve the committees’

integrity and their ability to scrutinise the Executive. One cannot serve two masters. One cannot be a ministerial parliamentary aide and serve on a committee. For that reason, I am speaking against motion S1M-2928 and I move that we vote on it.

17:03

The Minister for Parliamentary Business (Patricia Ferguson): I am surprised that the SNP has decided to raise this issue at this time. Just over a month ago, Ms Hyslop wrote to me about the issue. Unfortunately, she managed to get some of the facts wrong in her letter. I rebutted that letter around 5 March, I believe. As no correspondence had winged its way to me from that source, I had to presume that Ms Hyslop was content with the reiteration of the facts as they were.

I hear SNP members saying that I was wrong, but I was absolutely correct. I find it hypocritical for Ms Hyslop to raise this matter with us today, not least because the SNP’s health spokesperson and deputy health spokesperson are, apparently with no conflict of interest, members of the Health and Community Care Committee. In fact, Mr Russell, who is the SNP’s education spokesperson, is on the Education, Culture and Sport Committee, a situation that we would be happy to go along with, if not for the fact of Ms Hyslop’s hypocrisy today.

Fiona Hyslop: Will the member give way?

Patricia Ferguson: No, thank you.

I also point out that Ms Hyslop is a member of the Procedures Committee, which closely shadows the work of the Parliamentary Bureau, of which Ms Hyslop is a member.

It is strange that the matter is raised today. It shows that the SNP has not thought through properly the role of ministerial parliamentary aides in the Parliament. I also think that it shows a distinct lack of knowledge of the individuals involved. To suggest anything else does those individuals a grave disservice.

The Presiding Officer: The decision on that motion will come in a moment.

We move to motion S1M-2929, which is the bureau motion on substitution on committees.

Motion moved,

That the Parliament agrees that Cathy Peattie be the nominated committee substitute for the Labour Party on the Education, Culture and Sport Committee as permitted under Rule 6.3A.—[*Patricia Ferguson.*]

The Presiding Officer: No one has asked to speak against that motion.

Decision Time

17:06

The Presiding Officer (Sir David Steel): We come now to decision time. There are eight questions to be put as a result of today's business.

The first question is, that motion S1M-2853, in the name of Andy Kerr, on the Scottish Public Services Ombudsman Bill, be agreed to.

Motion agreed to.

That the Parliament agrees that the Scottish Public Services Ombudsman Bill be passed.

The Presiding Officer: The second question is, that motion S1M-2918, in the name of Dr Richard Simpson, on civil contingencies, be agreed to.

Motion agreed to.

That the Parliament acknowledges the importance of civil contingency planning and, in the light of the atrocities in the United States of America on 11 September 2001, approves the ongoing work by the Scottish Executive, the police, fire and ambulance services, the National Health Service, the local authorities and others, in promoting measures to enhance the safety and protection of the people of Scotland.

The Presiding Officer: The third question is, that amendment S1M-2919.1, in the name of Shona Robison, which seeks to amend the motion in the name of John Young, on the Scottish Parliament salaries scheme and the party leaders' allowances scheme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Gorrie, Donald (Central Scotland) (LD)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gallie, Phil (South of Scotland) (Con)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Ms Margo (Lothians) (SNP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLetchie, David (Lothians) (Con)
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)

Peattie, Cathy (Falkirk East) (Lab)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinney, Mr John (North Tayside) (SNP)
 Thomson, Elaine (Aberdeen North) (Lab)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Ingram, Mr Adam (South of Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)

The Presiding Officer: The result of the division is: For 20, Against 95, Abstentions 3.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S1M-2919.2, in the name of Tommy Sheridan, seeking to amend the motion in the name of John Young, on the Scottish Parliament salaries scheme and the party leaders' allowance scheme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Sheridan, Tommy (Glasgow) (SSP)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (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)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)

Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 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)
 MacDonald, Ms Margo (Lothians) (SNP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)

Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Thomson, Elaine (Aberdeen North) (Lab)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Quinan, Mr Lloyd (West of Scotland) (SNP)

The Presiding Officer: The result of the division is: For 1, Against 116, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S1M-2919, in the name of John Young, on the Scottish Parliament salaries scheme and the party leaders' allowances scheme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Godman, Trish (West Renfrewshire) (Lab)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)

Gray, Iain (Edinburgh Pentlands) (Lab)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (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)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Ms Margo (Lothians) (SNP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinney, Mr John (North Tayside) (SNP)
 Thomson, Elaine (Aberdeen North) (Lab)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)

Elder, Dorothy-Grace (Glasgow) (SNP)
 Gorrie, Donald (Central Scotland) (LD)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

ABSTENTIONS

Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 89, Against 15, Abstentions 15.

Motion agreed to.

That the Parliament—

(a) (i) in exercise of the powers conferred by Section 81(5)(b) of the Scotland Act 1998, confers functions as specified in the Scottish Parliament Salaries Scheme (SP Paper 554) on the Scottish Parliamentary Corporate Body;

(ii) approves the Scheme; and

(b) approves the Scottish Parliament Party Leaders' Allowances Scheme (SP Paper 555); and

(c) directs the Scottish Parliamentary Corporate Body to pay on and after 1 April 2002 the salaries and allowances stated in the Scottish Parliamentary Salaries Scheme and Scottish Parliament Party Leaders' Allowances Scheme.

The Presiding Officer: The next question is, that motion S1M-2927, in the name of Patricia Ferguson, on the approval of statutory instruments, be agreed to.

Motion agreed to.

That the Parliament agrees that the following instruments be approved—

the Pig Industry Restructuring (Capital Grant) (Scotland) Scheme 2002 (SSI 2002/43); and

the draft Public Finance and Accountability (Scotland) Act 2000 (Consequential Modifications) Order 2002.

The Presiding Officer: The next question is, that motion S1M-2928, in the name of Patricia Ferguson, on committee membership, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLetchie, David (Lothians) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)

Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Young, John (West of Scotland) (Con)

AGAINST

Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)

ABSTENTIONS

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

The Presiding Officer: The result of the division is: For 81, Against 3, Abstentions 35.

Motion agreed to.

That the Parliament agrees that the following Members be appointed to Committees—

Gordon Jackson to replace Elaine Thomson on the Enterprise and Lifelong Learning Committee;

Angus MacKay to replace Gordon Jackson on the Justice 1 Committee;

Brian Fitzpatrick to replace Bristow Muldoon on the

Subordinate Legislation Committee; and

Elaine Thomson to replace Michael McMahon on the Local Government Committee.

The Presiding Officer: The last question is, that motion S1M-2929, in the name of Patricia Ferguson, on substitution on committees, be agreed to.

Motion agreed to.

That the Parliament agrees that Cathy Peattie be the nominated committee substitute for the Labour Party on the Education, Culture and Sport Committee as permitted under Rule 6.3A.

Scottish Agricultural College, Auchincruive

The Deputy Presiding Officer (Mr George Reid): The final item of business is a members' business debate on motion S1M-2637, in the name of Adam Ingram, on the Scottish Agricultural College, Auchincruive.

Motion debated,

That the Parliament recognises the important contribution that the Scottish Agricultural College, Auchincruive, formerly the West of Scotland Agricultural College, has made and continues to make to the rural economy of Scotland; deplores the plans by the Scottish Agricultural College to downgrade Auchincruive to a mere delivery vehicle for education courses in association with Paisley University; views with concern the prospective closure of Auchincruive as a research and teaching facility if and when it amalgamates with the University's Ayr campus, and considers that such a closure would be detrimental to the economic development of Ayrshire and the south of Scotland.

17:13

Mr Adam Ingram (South of Scotland) (SNP): I am grateful for the opportunity to debate the future of the Scottish Agricultural College at Auchincruive and to represent the views of the many people in Ayrshire and beyond who are campaigning to retain the college as a vibrant engine of change and growth in the rural economy. I am particularly gratified that members of the Support Auchincruive steering group are in the public gallery for the debate.

The SAC's mission is

"to enhance the sustainability of rural areas and communities and the viability of the industries on which they depend".

My contention is that plans to break up what is still a superb integrated facility, which contains teaching, research and advisory capabilities, not only runs counter to that mission, but would be a retrograde step that would be profoundly damaging to rural development, particularly in the south-west of Scotland.

We should note that Auchincruive puts nearly £9 million into the local economy, and underpins an agricultural industry that contributes 15 per cent of the area's gross domestic product. In the context of a national strategy for economic development, it makes no sense to dismantle a centre of excellence, and a growth point in an area that suffers from chronic economic underperformance, and to relocate that centre's functions to areas of Scotland that are overheating.

The SAC is clearly in financial difficulty, having lost £2.5 million last year. Its financial position has

certainly not been helped by funding pressures, not least from the Executive, nor by a contraction in the number of students, which is a result of increased competition from other colleges. I do not accept the spin from the SAC's board and senior management that the college's poor performance is an inevitable consequence of the problems faced by the agricultural industry.

Over recent years, the board has made a series of plans, offering a series of short-term solutions and consuming badly needed cash, but providing few positive outcomes. There has to be a question mark over the business capabilities of senior managers who owe their positions to being successful scientists. By their nature, such people will tend to have a focused—some may say blinkered—approach, and will tend to favour their particular area of interest or even geographical site.

At least an element of that tendency would seem to have been at play in recent years, with the erosion and transfer of research capability from Auchincruive to Aberdeen and Edinburgh. For example, where was the logic in the transfer of grassland research away from the principal dairy farming area of Scotland, where poor weather and difficult soils perforce make grass the main economic crop?

In recent months, that trend has been accelerated, with no fewer than 18 staff, with combined teaching experience of 385 years, leaving Auchincruive. No wonder remaining staff are demoralised. The situation is tantamount to death by a thousand cuts, as one of my many correspondents on the issue vividly but accurately described it.

Maitland Mackie is another correspondent. He castigates me for dealing in soundbites and for seeking to preserve the status quo. What I seek is quite the contrary. I want there to be a reversal of his board's deliberate policy of running down a great institution. If that means that he, his board and senior managers must go, so be it. To downgrade or close Auchincruive in order to reduce overhead costs is akin to throwing the baby out with the bath water.

The capacity of the Auchincruive estate should be regarded as a development opportunity. I note that the SAC is in discussions with South Ayrshire Council and Scottish Enterprise Ayrshire on options for a change of use. I would have thought that the prospects for establishing a bioscience or business park, or for leisure or recreational development, would be much greater with a fully functioning agricultural college of international repute on the site.

The SAC is in real danger of losing its client base if, on the one hand, it preaches

diversification and rural integration to farmers and land managers while, on the other hand, demonstrating a complete lack of gumption in maintaining and developing the Auchincruive estate. Then again, SAC clients appear to be the last group to be consulted on the proposals for change.

What takes the biscuit for me is the SAC's assertion that the most important driver of the proposals for change is the need to secure delivery of substantive, competent research programmes, and to do so by creating focused research groups with critical mass and aligning those with potential partners. That is precisely what the SAC has been busy dismantling at Auchincruive over the past few years.

A single body at Auchincruive has provided education, research and advisory activities. The transfer of ideas and interaction between staff who are involved in various activities occur systematically. That results, first, in education being relevant to what is happening in the industry; secondly, in a research programme that responds to the needs of the industry; and thirdly, in advisory services that rapidly become aware of new research developments.

At Auchincruive, there has been the added extra of continuing involvement with the food processing sector. The college is one of the few establishments in the world where expertise on the complete food chain, from farm to fork, can be found on a single site. That is a priceless asset, given the need to develop small, rural-based food processing enterprises—and it is being partly realised by the association with the Hannah Research Institute in the CHARIS project. In addition, Auchincruive retains strong links with the University of Glasgow and its basic and applied research output is renowned worldwide. It would be a real tragedy if the SAC board were allowed to get away with destroying Auchincruive's research capability instead of building on its immense reputation. I trust that the Parliament and the minister will stand in the way of those designs.

I am conscious that I have not focused my remarks on the importance of Auchincruive as an educational centre of excellence. I trust that colleagues with first-hand experience of the college will be able to expand on its virtues. I will confine myself to pointing out that the SAC's prospectus for 2002 outlines details of 40 courses and that Auchincruive delivers no fewer than 25 of them. It provides rural Scotland with a first-class learning environment that is fit for the 21st century.

I trust that the minister will be able to indicate this evening, first, that he will be sending Messrs Mackie and McKelvey homeward to think again about their disastrous proposals, and secondly, that on no account will his approval, let alone his

funding, for the changes be forthcoming.

The Deputy Presiding Officer: In the open debate, members should aim to speak for around three minutes, to allow everyone to contribute.

17:21

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): I congratulate Adam Ingram on securing the debate, which is of vital interest to the rural community of Ayrshire, particularly in my constituency of Kilmarnock and Loudoun. The issue is not party-political; it is to do with the maintenance of the farming community in Ayrshire and its ability to diversify and develop its skills for the benefit of the people of Scotland.

Many of my farming constituents have raised the issue with me and with my colleague Cathy Jamieson, in whose constituency the Auchincruive college lies. We have both raised the issue with the minister and I look forward with real interest to his response, as do my constituents. I will be able to transmit that response very quickly to the farmers of Kilmarnock and Loudoun as my colleague Des Browne MP and I have a meeting with the Kilmarnock branch of the National Farmers Union of Scotland on Saturday morning.

I am grateful to Robin Templeton of Midton farm in my constituency for informing me that Kilmarnock is the birthplace of farm education in Scotland. The Kilmarnock Dairy School flourished before Auchincruive was gifted by a local farmer to the West of Scotland Agricultural College in 1927 and the dairy school's functions were passed to the college.

The Kilmarnock Dairy School later became a maternity hospital serving Kilmarnock and Loudoun, and a number of members of the Parliament were born there. I will name them—Cathy Jamieson, Adam Ingram and myself. I understand, Presiding Officer, that your colleague Murray Tosh has indicated that some of his children were born in that very building. The building still stands and Adam Ingram passes it each day on the way home from the chamber.

Sixty per cent of the SAC's students study at Auchincruive. Of that 60 per cent, 60 per cent have a KA postcode. Willie Campbell, of Low Holehouse farm in Galston, is the chair of the Ayrshire branch of the NFUS. He tells me that the family of the farmer who donated the site are distraught at the suggestion that Auchincruive should be wound down.

The need for the continuation of Auchincruive as a driver in rural Scotland—and particularly in south-west Scotland—has been admitted by a research project conducted, interestingly, by the SAC itself. The current edition of *Scottish Farming Leader*, the magazine of the NFUS, refers to a

report on the future of farming in Ayrshire, which says that it is inevitable that farming in Ayrshire will restructure. It points out:

“This is likely to occur through a greater agricultural specialisation on the one hand, and more pluractivity on the other. To help this process, suitable training and re-skilling will be required.”

What better argument than that, expressed in the SAC’s own words, for the need to maintain and develop further the rural education provision at Auchincruive? However, no consideration appears to have been given to applying those words to thinking on the future of the industry, despite the offer of partnership from Scottish Enterprise Ayrshire.

There is an opportunity to embrace new technology and new ways of working on an estate that has six listed buildings and which supports meetings of the Scottish Wildlife Trust, the National Council for the Conservation of Plants and Gardens and the Royal Horticultural Society. The worldwide reputation of Auchincruive is well established. As one person said, it would make the ideal headquarters for a rural university of Scotland.

I urge the minister to persuade the SAC to think again about the role and functions of Auchincruive and to ensure a review of the proposals, which I am sure will lead to confirmation of Auchincruive as a full and essential part of the delivery of rural education for Scotland and beyond.

17:26

John Scott (Ayr) (Con): I congratulate Adam Ingram on securing today’s debate. I welcome what he and Margaret Jamieson had to say on the issue. I, too, welcome to the chamber the delegation from Auchincruive. I thank members of all parties for the support the campaign has secured and the press for making the public aware of what is happening.

What is being proposed for Auchincruive could not be described as tinkering around the edges—it is radical surgery. The Scottish Agricultural College is proposing to destroy Auchincruive. We all agree that there is a need for change and progress, but everyone in Ayrshire is unhappy at what is being proposed. The students at Auchincruive are unhappy because they have not been consulted or considered. The staff are unhappy and demoralised because they, too, have not been consulted about the development of the plans—indeed, they usually learn of such developments from the press. The partner organisations and stakeholders at Auchincruive are also unhappy. Those involved in the tourism industry, the food industry, forestry, horticulture and agriculture are unhappy because they are all about to be left high and dry.

As Adam Ingram said, Auchincruive has delivered on its vision statement to

“enhance the sustainability of rural areas and communities and the viability of the industries on which they depend.”

It is already delivering in educational terms what Ross Finnie asked for in “A Forward Strategy for Agriculture”. Auchincruive is a Scottish rural resource that delivers integrated and cohesive, yet diversified, education to degree standard for rural students. The current plans will destroy that.

One member of staff told me:

“If we didn’t have Auchincruive, we would be trying to invent it.”

That aptly describes the views expressed in much of the correspondence that I have received on the matter, some of which the minister has seen.

Auchincruive is the jewel in the crown of the SAC. It is a degree-awarding institution in its own right and, with about 60 per cent of the SAC’s students, it is the hub of the SAC’s teaching capability. Maitland Mackie and his board want to relocate that facility to Aberdeen and Edinburgh, but he forgets that many of the students who currently attend Auchincruive have already scorned Aberdeen and Edinburgh to come to Auchincruive because of its international reputation. Given that more than 50 per cent of Auchincruive’s students have Ayrshire postcodes, most would not or could not attend Aberdeen or Edinburgh. In effect, the SAC would lose its teaching capacity and with that its research capability. In short, the filleting of Auchincruive would destroy the SAC.

Of course the SAC must address its future and its debt of about £9 million—we would be castigating it if it did not—but throwing the baby out with the bath water is not the answer. I have no problem with change, but any change must be for the better. Moving agriculture education into Ayr town centre is not a practical option, even if it were achievable.

An alternative plan must be produced that puts Auchincruive at the heart of the SAC’s future operations. An option might be to return to a more regional structure with better links between universities, colleges of further education, Scottish agricultural and biological research institutes and the state veterinary service.

At any rate, the SAC or perhaps independent consultants must come up with alternative proposals. If they are not prepared to do so and the board of the SAC is not prepared to do so, they must stand aside and let others take up the challenge. If assets or buildings need to be sold, so be it. If new partners need to be found and new partnerships need to be entered into, so be it.

Imaginative solutions must be found to address

those problems satisfactorily from a Scotland-wide perspective. I urge the minister to use his influence to ensure that there is a future for the SAC with Auchincruive at the heart of it.

If the minister does not stop the vandalism, such an act of agricultural terrorism will leave Scotland without an integrated, high-quality teaching and research resource and we will all be the poorer.

17:31

George Lyon (Argyll and Bute) (LD): I associate myself with the remarks made by Adam Ingram and Margaret Jamieson.

My father and family were heavily involved with the SAC at Auchincruive right back in the late 1940s and early 1950s when the college was single-handedly responsible for delivering huge improvements in Scottish agriculture over 40 to 50 years. It increased the output and efficiency of many businesses throughout the south-west of Scotland. It is also single-handedly responsible for the huge expansion in Scottish agriculture that took place over that period of time. I do not think that there will be one farmer in the whole of the south-west, or indeed up the west coast of Scotland, who is not indebted to the work that went on at Auchincruive over those years to help us deliver more efficient and productive agriculture.

The research and development work that was carried out at Auchincruive delivered not only for individual businesses: it delivered for Scotland. The basic research work and near-market research that were done there have led to much of the increased production and efficiency of Scottish agriculture over the years.

The south-west of Scotland is the centre of dairy, cattle and sheep production. It therefore makes little sense to run down the service and shift it to the arable east. It makes little sense to me, although I suspect that my colleagues in the Conservative party will argue against that. It makes no sense whatsoever that when the major production of livestock takes place in the south-west and on the west coast, services should move to the arable east.

We must acknowledge that the SAC faces a serious financial predicament that it has to resolve. There is no doubt that demand for advice, for research and development and for further education has reduced over recent years as agriculture has gone through a severe recession. A new role has to be mapped out for the SAC, but it is vital that before any rationalisation takes place the SAC take a step back and reconsider what that future role is and how it intends to deliver it.

There is no doubt that there is still a demand for

the services that Auchincruive provides. We still need a centre of excellence in Ayrshire. It is the centre of the Scottish dairy industry. Auchincruive deserves a reprieve and I ask the minister to engage with the SAC and ask it to think again.

The Deputy Presiding Officer: I have been noting who has been speaking for each party. I am not going to get everyone in. I am conscious that the Minister for Environment and Rural Development has been doing night duty for a number of nights. Minister, are you prepared to go on until 6 o'clock and not a minute longer?

The Minister for Environment and Rural Development (Ross Finnie): Yes.

The Deputy Presiding Officer: I will therefore take a motion without notice to extend the debate until 6 o'clock.

Motion moved,

That, under Rule 8.14.3, the debate be extended until 6.00 pm.—[*Mr Murray Tosh.*]

Motion agreed to.

17:34

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I congratulate Adam Ingram and every member who has spoken on the powerful and cogent way in which they have presented the case. There is no point in repeating their excellent arguments in favour of an establishment that has an international reputation.

I will address some questions to the minister. We require an independent audit of the whole process that has been carried out to date. Although John Scott and George Lyon are correct to argue that a fresh plan should be produced, it is perhaps optimistic to hope that the fresh plan could be produced by the authors of the previous report, which we have all condemned. In my opinion, it is axiomatic that unless there is an independent audit of the whole process, of which the minister instructs the initiation tonight, the outcome will inevitably be less than satisfactory.

Such an audit should consider several matters. First, those who put forward the plan assert that the cost of the new campus in Paisley and the move to Aberdeen would be £20 million. Oh, really? Should not that assertion be tested by an independent audit?

Secondly, what regard has been paid to the wishes of existing students and of potential future students? What attempt has been made—through market research or consultation, for example—to assess how many of those students would go to Aberdeen now or in future? John Scott made that point. If they would not go, as has been postulated, what impact would that have on the

£20 million?

Thirdly, is Auchincruive responsible for the SAC's apparently parlous financial plight? Those whom I had the pleasure of meeting this afternoon asserted that that is simply not the case. Although the minister might be on night duty, I hope that he will address the fact that in the directors' report £1 million was written off to "failed joint ventures". Does not that merit close scrutiny? Premature retirement charges accounted for £190,000 and the golf course valuation was written down by £229,000. I have not been as closely involved as the local member of the Scottish Parliament, but I believe that all those matters merit serious consideration.

The minister is directly responsible. Although I would be exaggerating slightly to describe his failure to thwart the proposed decision as an act of terrorism, it would amount to an act of vandalism. His proposed course of action surely runs counter to the forward strategy for Scottish agriculture, to the Executive's commitment to the skills economy and to integrated rural development. I see that I am running counter to the Presiding Officer's wishes. Therefore, I will close on that point.

17:38

Alex Fergusson (South of Scotland) (Con): I hope to be very brief. I had better declare an interest. I am probably the only member who received his further education at Auchincruive. [*Interruption.*] I am sorry about my mobile phone, Presiding Officer.

I am the proud possessor of the letters ONDA, which follow my name. I do not often use them because although NDA stands for national diploma in agriculture, sadly the O stands for ordinary. The course did not last particularly long. I hope that some members agree that one has only to look at me to recognise the quality of the education that Auchincruive provides, to which Adam Ingram referred.

I congratulate Adam Ingram and John Scott on their role in introducing the issue in the Parliament. I am sure that Cathy Jamieson would have done the same if she had not been prevented from doing so by her ministerial responsibilities.

Auchincruive provides a unique setting—it offers on-farm education within an estate. When I was at Auchincruive, I had had the benefit of two years away from school before going there. For a lot of the students, it was their first experience of being out of school and away from home. It is important to realise that Auchincruive offers a homely setting to its very young students, in which they can grow up while they continue their education. We all learnt a great deal at Auchincruive—some of it was even about agriculture. It is important that that

type of growing-up experience can take place in an ambience such as exists at Auchincruive. I believe that Auchincruive is unique, but I recognise that my feelings about it are entirely emotional and should not come into the argument.

A number of questions have not been answered properly. Where in the overall financial structure of the SAC is the financial justification for the proposed decision? There has not been enough financial to detail to show that closing Auchincruive would provide the answer that is needed. Secondly, why has the SAC gone so far down this route without consulting the Minister for Environment and Rural Development? If the closure of Auchincruive is not a question of rural development, I am not sure that I know what is. I find it extraordinary that the SAC has not, as I understand it, provided further detail. The SAC may be losing £2.5 million a year, but surely the answer is not simply to close a unique institution.

Auchincruive was gifted by John Hannah—whose grandson is, I believe, in the public gallery today—for the purpose for which it is used. Closing Auchincruive is certainly not the answer if better justification cannot be given than that which has been evidenced so far.

17:40

Alex Neil (Central Scotland) (SNP): I am too young to have been born in the same place as Margaret Jamieson and Adam Ingram, but I am sure that there is all-party consensus on the motion. I congratulate Adam Ingram on securing the debate.

The Scottish Agricultural College has spread several myths about the rationale for its apparent decision to destroy Auchincruive. For example, we have heard that the students would like the facility to be moved to Aberdeen or Edinburgh. I find it absolutely amazing that, if the whole objective is to cut costs, the SAC should propose a move to either of the two most expensive places in Scotland to do business. In this day of e-commerce and e-learning, it is a nonsense to argue that the facility must be physically close to the University of Aberdeen, which is behind the UHI Millennium Institute that covers one third of Scotland's landmass. I do not see why it is necessary for the facility to be moved up to Aberdeen. The arguments that the Scottish Agricultural College has made do not add up.

I support Fergus Ewing's proposal for an audit of the rationale that has been given. That audit should have two parts. First, it should examine what the SAC is really up to and evaluate its decision on Auchincruive. Secondly, the audit should examine Auchincruive's potential. Others have already mentioned the possibility that Auchincruive could be built up as a centre of

bioscience, which would provide huge opportunities for taking in international students and for entering international markets. If any organisation should know about that, the Scottish Agricultural College should.

There is no doubt in my mind that Auchincruive is a major asset not only to the economy of Ayrshire and the west of Scotland but to the Scottish economy and further afield. Will the minister tell us what is the estimated underspend in this year's rural development budget? Will he consider whether some of that underspend could be used to address the Scottish Agricultural College's present situation?

Auchincruive must be our top priority, but there is a wider question about the relationship between it and its sponsoring organisation within the Scottish Executive. Speaking as the convener of the Enterprise and Lifelong Learning Committee, I believe that the minister should consider the possibility of transferring responsibility for the SAC to either the Scottish Higher Education Funding Council or the Scottish Further Education Funding Council. Auchincruive is involved in both teaching and research. If the institution came under the aegis of one of those councils, I am sure that, in time, it would develop proper letters of guidance and proper budgeting. That would be to the benefit of everyone concerned. I hope that the minister will take those recommendations into account.

Let us look on this all-party consensus not simply as an opportunity to save Auchincruive but to develop Auchincruive so that it can in future make an even greater contribution than it does at present.

17:44

Phil Gallie (South of Scotland) (Con): With the possible exception of Fergus Ewing, most speakers in today's debate have come from Ayrshire. I first came into Ayrshire in around 1974, when I guess Auchincruive had greater renown than Kilmarnock Football Club—I always like to stir up things a wee bit. At that time, Auchincruive was well respected and well known from one end of Scotland to the other.

To be serious, however, there has been consensus in today's debate. I congratulate Adam Ingram on the way in which he introduced the debate. The contents of his speech spoke for most of us. I also agree with the comments of Margaret Jamieson and with John Scott, who is well respected in Ayrshire's farming communities.

I am not a farmer, but for me Auchincruive has a name that stands out in a particular way. Although wind farming and renewable energy are very much issues of the day, not many people know that Auchincruive might have been the site of

Scotland's first wind generator. The South of Scotland Electricity Board sited a specialist wind generator at Auchincruive as an experimental unit. That it did so says a lot about Auchincruive. It is not simply a teaching institution, but one in which research and knowledge are in-built. What worries me is the dispersal of those qualities.

I cannot understand why the college seems to be cutting across Scottish Executive policy by attempting to take expertise from Ayrshire, which is an outlying area, and passing it to centres of economic well-being such as Edinburgh and Aberdeen. If that is done, things will seem to be the wrong way round. I ask the minister to address that matter. I also ask him to pick up on the issue with the Scottish Agricultural College.

If one visits Northern Ireland and Ireland and talks about Auchincruive, people recognise the name, but if one talks about the Scottish Agricultural College, the name is fairly meaningless. That is a symbol of Auchincruive's position in Scottish agriculture.

I am all for change and I recognise that the agriculture industry, more than any other, is going through massive change, but we should not change centres of excellence when we cannot put something better in their place. If we step back and analyse what is happening at Auchincruive, we can see that Scotland is losing a great opportunity.

We are considering different ways of managing our land and of tackling important environmental issues. That is why getting rid of an institution such as Auchincruive is being considered. What will happen is that, as the college is eroded bit by bit, the objective will be to lose Auchincruive. That should not be allowed to happen.

I congratulate my colleagues again for proving their case so well.

17:47

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Much has been said about consensus in the debate and consensus about the motion. However, it is interesting to note that those who have made speeches so far—apart from my colleague Fergus Ewing—have come at the subject from a particular angle, which is that of representing their constituents and constituencies in the south-west of Scotland. It is quite right that they should do so.

I welcome the opportunity to speak in the debate, but I want to make it clear that I do not support the motion. I want to ensure that a Scotland-wide perspective is heard in the debate. As I said, Adam Ingram and several other members who represent constituencies in the south-west of Scotland have quite rightly, on

behalf of their constituents, made it clear that they deplore the actions of the Scottish Agricultural College in proposing to downgrade Auchincruive. If I quote Adam Ingram's motion, he said that it would become

"a mere delivery vehicle for education courses in association with Paisley University".

However, it has not been made clear so far that the plans that the Scottish Agricultural College has announced for Auchincruive are part of a robust major restructuring plan. The college sees the plan as addressing a problem that is faced not only by the south-west of Scotland but by the whole of Scotland.

The restructuring plan has been produced as a result of hugely difficult market conditions. The SAC is after all, a helpmate in the economic development of the rural economy throughout Scotland. I know that the SAC values immensely the working relationships that it has established with the University of Aberdeen, the University of Edinburgh and the University of Paisley. We should be very careful about MSPs from the south-west making an understandable rush to protect Auchincruive.

Fergus Ewing: I appreciate that Mike Rumbles is opposed to the motion, but will he support my suggestion that an independent audit be carried out before the situation proceeds? Would he welcome such an announcement from the minister?

The Deputy Presiding Officer: Mr Rumbles is on his last minute.

Mr Rumbles: I will come to the point that was made by Fergus Ewing. I support his suggestion. I am simply saying that we should be careful not to throw the baby out with the bath water and put at risk everything that has been done so far. I know the SAC and am sure that it would be willing to pause in developing its plans in order to enable another look to be taken. I commend that reasonable approach to the minister and I hope that the Scottish Executive and the minister will assist in that process.

Everyone must be assured that the SAC's plans are the right ones. However, if the minister wants to undertake a further review, he must do so quickly if the rural economy throughout Scotland is to be properly and effectively supported.

The Deputy Presiding Officer: I apologise to David Mundell and Jamie McGrigor, who were beaten by the clock. Minister, you have until 18:00 to respond to the debate.

17:50

The Minister for Environment and Rural Development (Ross Finnie): I congratulate Adam

Ingram on securing this important debate.

I should start by saying that I regret deeply the handling of the issue. I do not find it helpful for a management group to conduct the potential restructuring of an important Scottish institution through the columns of the press. With all due respect to Adam Ingram, that means that we are conducting the debate in a vacuum, because we are not in possession of all the necessary facts. That said, Mr Ingram is properly expressing real concerns about the implied threat in the statements that have been made.

Alex Neil raised the question of the SAC's relation both to the economy and to the Scottish Executive, which is an issue that I have been considering for some time. At this point, I do not wish to become partisan, because the debate has been very harmonious. However, five, six or seven years ago, it was suggested that the SAC ought to have a more independent role and that, apart from generating income from its service facility, it ought to be more self-funding. I feel that that approach has left the college out in its own pool; it is not so much that it is a creature of Government that delivers policy, but that it is not quite capable of financing itself because of its multifunctional role.

I am reluctant to consider transferring responsibility for Auchincruive to the educational funding councils, because of the historic link between the functions of the SAC and the Scottish agricultural and biological research institutes. Much of the pure research that was carried out in the Scottish agricultural and biological research institutes was given a practical application through the operation of the SAC.

I want to take a moment to put the SAC into context. I appreciate that, because of their interests, members are especially concerned about the Auchincruive campus. However, I do not agree that people abroad or furth of Scotland understand us if we mention Auchincruive, but do not know what we are talking about if we mention the SAC. I am sorry, but that is not the case. I can tell members that people in Ireland, Belgium and France very much recognise the SAC for its work. Indeed, in Ireland, much of the way in which Bord Bia operates is modelled on the SAC.

Let me make it clear that the SAC is a national asset that makes a huge contribution to the rural economy. For much of its recent life, it has occupied a niche in transferring knowledge to that economy. Moreover, it is the largest single provider of vocational degrees and it carries out research. I should add that it is also the largest single provider of consultancy services in rural economies. Those functions are extremely important for the whole of Scotland. Through its veterinary service, the SAC is also the mainstay of Scotland's contribution to national disease

surveillance. As a result, we must acknowledge that the SAC makes a huge contribution.

The difficulty is that the SAC's activities are conducted on three sites. However, because of the contribution that those sites make, my department continues to invest heavily in the college's three functions. We are the SAC's biggest single client and we provide it with £18 million of recurrent funding each year.

However, there can be no room for complacency. We must recognise that criticisms have been made and that there have been difficulties in the college. There has been criticism of the way in which the college has delivered the entirety of its educational function—I am talking about the SAC as a whole. There has been criticism of the quality of some of its research and there has been criticism of some of the ways in which it has delivered its services. As members have said, the SAC is facing financial difficulties. As in any business, it would irresponsible for the board not to address those difficulties.

I take the view that any business plan should be placed in the context of what one believes SAC's objectives should be. Before designing a plan, we must understand what the college's future role is to be. The plan should meet the objective; the objective should not be ignored when drawing up the plan. What has happened is unfortunate, although I acknowledge that the college needs to consider a wide range of options and that it needs to examine longer-term options and solutions.

In due course, the SAC's proposals will have to be submitted formally to me for approval. It might be helpful to members if I set out the three key requirements that will be uppermost in my mind when considering those. First, the SAC will have to have agreed with its major stakeholders a clear view of its objectives. That is essential if the college is to make itself fit for purpose. Taking account of clients' needs will be an essential part of the process.

Secondly, the SAC will need to have examined the range of options that are open to it and to have set out convincingly the case for any preferred option.

Thirdly, worthwhile proposals will have to pass the tests of quality, relevance to the Scottish agricultural strategy and—of course—value for money.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Will the minister give way?

Ross Finnie: I will give way to the member when I have finished making my point.

Some days ago, I asked the SAC to pause to

consider exactly what it is trying to produce and to take account of the criteria that I have just set out. Within that framework, those who wish to advance the case for Auchincruive will have an opportunity to do so.

Alasdair Morgan: Among the criteria that the minister mentioned, I did not hear the significance of job dispersal for rural development. Is that one of the considerations that he will bear in mind? Clearly, moving jobs to Aberdeen or Edinburgh will not further that objective.

Ross Finnie: I have set out my principal criteria. I am very concerned that jobs should be properly dispersed throughout rural Scotland. However, my real concern in this case is to end up with a clear and agreed view of the SAC's objectives throughout the rural and agricultural community, in order to ensure that it is fit for purpose for the next 50 or 60 years. Time has moved on and I do not believe that the college can propose to close the facilities in Edinburgh, Aberdeen or Auchincruive, or make proposals concerning education, services or research, without making a decision on its objectives.

That is why, unlike Fergus Ewing, I do not believe that an independent audit is necessary at this stage. I want discussion of the college's objectives and I am told that Bill McKelvey, the new chief executive of the SAC, is very happy to have such a discussion. I also want the college to pause to think about the plan. I will then consider whether the details of the plan need to be further examined by people who are skilled at giving objective and independent advice.

I am very happy to endorse the important contribution that is made by the SAC at Auchincruive, but the remainder of Adam Ingram's motion is premature. It prejudges the outcome of the process that I have started and which has not yet reached a conclusion. I believe that that process will provide those who wish to put the case for Auchincruive, and to point out its merits, with an opportunity to do so in a proper, structured context.

I hope that members who have contributed to the debate find that to be a constructive response.

Meeting closed at 18:00.

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