

MEETING OF THE PARLIAMENT

Thursday 16 March 2006

Session 2

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Scottish Parliament

Thursday 16 March 2006

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

Public Transport Projects

The Presiding Officer (Mr George Reid): Good morning. The first item of business is a statement by Tavish Scott on an update on major public transport projects. The minister will take questions at the end of his statement, so there should be no interventions.

09:15

The Minister for Transport and Telecommunications (Tavish Scott): When I took office as Minister for Transport and Telecommunications, I took responsibility for the greatest sustained investment in Scotland's transport system in decades. Transport spending has increased substantially since devolution. In 1999, transport spending was £345 million. Since then, as a result of our commitment to and focus on investment and the transfer of new rail powers to Scottish ministers, the transport budget has risen to £1,649 million in 2006-07 and £1,694 million in 2007-08.

The programme of public transport investment has arisen from the major commitments on infrastructure investment in our partnership agreement. It is a major opportunity for Scotland to improve our infrastructure, improve our economy and improve the travel choices for passengers and freight.

We need to be bold to make the projects happen, but we must have realistic and credible delivery plans to turn the plans into reality. I stated in Parliament last year that I wanted our capital transport plan for new rail and road investment to deliver on time and against budget.

I am here today to update Parliament on progress. Before I turn to the programme of major public transport projects, I will say a little about progress on the significant investments that we are making in improving strategic roads. Our major roads programme is aimed at reducing congestion on the network, tackling pinch points and completing the strategic motorway and road links. The investment supports the Government's principal objective of growing Scotland's economy.

We will build the Aberdeen western peripheral road. Detailed engineering and environmental work is now progressing, with the aim of narrowing down the line of the road corridor next month. I

understand the obvious worries of local people and can say today that the Stonehaven link will not be an upgrade of the existing Netherley road. Where the corridor reaches Milltimber, we are working hard to reduce the impact of the route. I can confirm that the route will not affect any properties in Peterculter village and that where the route passes Milltimber village no options are being considered to the east of the route that was previously consulted on. We will bring forward draft road orders at the end of the year.

The contract for the new Kincardine bridge was let earlier this month. Construction work is expected to be under way by the summer and we will complete the bridge in 2008. Proposals for upgrading the A8 between Baillieston and Newhouse will be published in the next few weeks.

I expect the major roads programme to hit budgets and be delivered on time.

For our major public transport projects, I am establishing—for the first time—a rigorous baseline against which I expect projects to be delivered. I will today present a programme that is realistic, affordable and deliverable. It is all about delivery. We need to be clear about what stands in the way of delivery and must overcome those obstacles. That is the challenge that I have laid down to Transport Scotland, the promoters of the major projects and the rail industry as a whole. It is a challenge that I expect them to meet.

In presenting the programme today, I tackle one of the perennial problems that face the construction industry as a whole and the rail industry in particular: establishing the expected price of a scheme. By stating today the expected outturn cost of schemes, I will allow all those involved to focus clearly on delivering to budget. Furthermore, our transport and works bill aims to improve the process for the future.

This is an ambitious programme. We must ensure that overall it remains affordable and provides value for money as we move through its delivery. We are committed to applying best practice in procurement, to setting challenging milestones and to making best use of the gateway review process. The focus is not only on individual projects. I have asked officials to consider the affordability of the programme as a whole and how it would be affected if in future there were any changes to the timing or the costs of the individual elements of the programme.

Rail devolution gives us a new option for funding rail projects. It offers an alternative form of public-private partnership, working in strategic partnership with Network Rail. Such an approach makes the best use of Network Rail's expertise in delivering rail infrastructure enhancements. However, as with any public-private partnership

project, we need to be convinced that that method of procurement offers best value for money.

I will outline where we are on the individual projects, state what we believe to be a realistic target and highlight any changes from information given to Parliament previously.

The Larkhall to Milngavie rail project has relieved a pinch point on the northern Glasgow rail network and opened up economic opportunities for the people of Larkhall. We have delivered the first new branch line in 25 years by reopening the Larkhall branch. The new line was delivered by a partnership between Strathclyde Passenger Transport and Network Rail. It took a long time to get the project moving, but once we did so the project came in on time and on budget. In the 70 days for which the Larkhall line has been open, 68,749 people have used it, which is 34 per cent above projected passenger numbers. The fact that a new rail line has been opened and passenger numbers have increased shows that the investment is already paying dividends.

At a time when other parts of the United Kingdom have struggled to deliver enhancements, we have shown that we in Scotland are capable of breaking the mould and getting things done. We must build on that. I want the completion of projects on time and on budget to be the norm, not the exception.

Our investment in the Stirling-Alloa-Kincardine line will connect Alloa to the rail network; improve the efficiency of the transport of coal to Longannet power station, which generates 20 per cent of Scotland's electricity; and free up space on the Forth rail bridge for additional passenger services between Fife and Edinburgh.

Work began on site last October and continues on schedule. Clackmannanshire Council and TIE have set themselves challenging targets for completing the railway by summer 2007 at a cost within the range of £65 million to £70 million. The range is due to mine workings and land valuation. Those targets are achievable, but they will require the project team to work together extremely effectively. I welcome the team's appetite for the challenge.

The Waverley station project is a flagship that is within Scotland's capital but is for Scotland. The station is already at full capacity during peak times, yet passenger growth is forecast to continue. I strongly welcome that growth, but capacity needs to be addressed. Our investment will add new platforms and allow more trains per hour. The trains will be on time, because punctuality will be one of the key advantages of the investment. The project improves Waverley station for passengers, including the elderly and the disabled. The project was on site in January

and will be completed by December 2007, on time and within a budget of £150 million. The Waverley station project, funded from additional resources secured in the rail review, is proof that we can work effectively with Network Rail in Scotland.

Edinburgh's trams are a strategic investment in tackling congestion in Scotland's capital. The interchange at Haymarket station will be particularly important for commuters and for visitors from outside Edinburgh. I have confirmed our commitment to contribute £375 million plus inflation. I expect that to add up to a contribution of between £450 million and £500 million towards the capital cost of the tramline from Ocean Terminal to Edinburgh airport. The challenge for the promoter and construction manager is to deliver efficiencies against that budget. The gas, electricity, water and telecoms diversions that are needed for the project are expected to start this autumn, with project completion in early 2011. The City of Edinburgh Council's original target of the end of 2009 has had to be moved back as it underestimated the length of the private bill process.

Transport Scotland is working closely with Network Rail to deliver the Airdrie to Bathgate line as a real alternative to car travel on the A8 and M8 corridor. The investment will provide a public transport choice, particularly for people in North Lanarkshire and West Lothian. I am pleased to announce that we reached agreement with Network Rail earlier this week to allow work to begin on doubling the track east of Bathgate at the turn of the year. I am pleased to be bringing the project forward to the earliest possible date so that we deliver benefits to passengers as soon as we can. The project will be delivered within a budget for completion of £300 million to £375 million in outturn prices. Overall, the project is on target for delivery in 2010. That target reflects the significant scale of the project and the parliamentary timetable.

Scotland's airports need to be part of the country's rail network, so the investment in airport rail links will be good for visitors, good for business and good for Scots. They will also be good news for the airports themselves as they will improve their competitive position and provide accessible links to many destinations throughout Scotland. We attach great importance to BAA's co-operation with and contribution to that work and we are taking steps to secure that co-operation and contribution. We hope that a deal on Glasgow airport will be concluded shortly. Further discussions on Edinburgh airport will continue.

The Glasgow Airport Rail Link Bill was introduced in January and the Edinburgh airport rail link bill is due to be introduced by the promoter, TIE, today and published tomorrow. The Glasgow airport rail link is on target to cost £170

million to £210 million and the cost for the Edinburgh airport rail link will be £550 million to £650 million in outturn prices. We do not expect any real-terms cost increases on the projects. We expect Glasgow's airport rail link to be delivered by the end of 2010 and Edinburgh's by the end of 2011, but the promoters are working to deliver them up to a year earlier. I welcome and support that drive, but we need to be realistic. We expect preparatory work that does not require parliamentary approval to start early in 2007.

The Waverley railway partnership's objective, and ours, is to reconnect the Borders to the rail network. We will contribute £115 million in 2002 prices and we expect the uplift for indexation on that contribution to bring the figure up to £155 million. Work on the scheme is also expected to start early in 2007 and the rail link is expected to be delivered by the end of 2011, but the Waverley railway partnership is working to deliver it more than a year earlier.

We must set out realistic, deliverable and affordable plans to enhance Scotland's railway. We expect the whole of the rail industry—Network Rail, First ScotRail, local authorities, SPT, the new regional transport partnerships, Transport Scotland, consultants and contractors—to work together to deliver enhancements. New engagement is needed to achieve that and this is the industry's chance to show that it has changed. For too long, rail transport has been thought of as the poor cousin. That is no longer the case. Rail transport can be a driver of economic growth in Scotland; it can move people and freight across the country safely, efficiently and affordably.

I have outlined the Government's current committed major transport infrastructure programme up to 2012. The programme can be funded from within our overall budget. All the projects that I have mentioned can be delivered by 2011. That was our commitment in the infrastructure investment plan. Seventy per cent of our investment over the 10-year capital plan will be spent on public transport. So far, one railway line has been completed and two are under construction. We are already delivering.

We look further in to the future through the national transport strategy and the strategic projects review. We will consider Scotland's transport investment needs for 2012 to 2022 and beyond. There is no slowing down in our determination to look to Scotland's future. Scotland's rail investment programme is the envy of the rest of Britain. I want Scotland to be the place where people come to see how rail projects are delivered.

I look to all concerned to step up and deliver.

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I thank the minister and his office for providing an advance copy of his statement this morning. I also congratulate the Scottish Executive on producing a ministerial statement that does not appear to have been leaked to the press and media in advance although that may be because it has nothing new to say.

There are many projects about which I would like to raise questions, but I will confine myself to one: the Waverley station project. Is the minister's statement significant for what it does not say on that rather than for what it says? Up to this morning, the Executive was committed in principle to supporting work on the project in two phases, but the minister's statement referred only to the work in phase 1. That work will allow an increase from 24 trains per hour to 28, but professionals expect that extra capacity to be exhausted by 2012. Phase 2 is required if there is to be a further increase to 32 trains per hour, but this morning's statement excludes any reference to phases 1 and 2. They have been airbrushed out as though they were former members of Mr Stalin's politburo.

Has the Scottish Executive quietly abandoned its plans for phase 2 of the Waverley station project? In view of the fact that new lines—the Airdrie to Bathgate line, the Borders rail link, the Stirling-Alloa-Kincardine line and the Edinburgh airport rail link—are to be opened, when does the minister estimate that the increased capacity that will be provided by phase 1 of the Waverley station project will be exhausted? Does he agree that additional capacity can be provided almost immediately through cost-effective measures such as longer trains with selective door openings?

Tavish Scott: I welcome Mr Ewing's support for the statement. I am sure that it was only an oversight on his part that he did not reflect on the fact that, when I came into post, I said to the Local Government and Transport Committee, which is convened by Bristow Muldoon, that I would bring to the Parliament a full, updated report on the position of the capital investment programme as it affects transport. That is what I am doing and I am surprised that Mr Ewing does not seem to think that parliamentary scrutiny of the Government's capital investment programme is appropriate, because he argued in the committee that it was appropriate. Dear me, he has not leaked his questions in advance to the press, which is unlike the normal state of affairs.

The £150 million that we are investing in Waverley station now is in our capital programme. It is what we said that we would do and we are now doing it. That investment will provide significant enhancements to the rail network throughout Scotland. In particular, it will help the

performance of the Fife service and help commuters and other passengers to enter Edinburgh daily. It is an important investment for the future.

The second part of Mr Ewing's question was about what would be done in the future. To determine that, we will shortly consult on a national transport strategy and have already begun work on the strategic projects review. I envisage that, in that assessment and in continuing discussions with the rail industry and others, we will consider future investments, the importance of freight and how to tackle capacity issues as they arise. It is also important that we assess the rail network as a whole now, so that we find out where the pinch points are and what investment is needed to tackle those pinch points. That work will be taken forward and we will also inform the Parliament as appropriate.

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the minister for the advance copy of his statement. Since 1999, we have heard many promises from the Executive about transport projects, but precious little has been delivered. We have had seven wasted years in which not enough has been done and, as a result, we are falling behind with our infrastructure, which is important if we are to grow our economy. The Enterprise and Culture Committee's report on business growth, which was published this week, called on the Executive to ensure that its expenditure is targeted on areas that will deliver maximum economic benefit. The statement seems to contain nothing about the relative priority of the various projects that were mentioned, or of others that were not, and no assessment of their impact on economic growth relative to that of trunk road and motorway improvements. What steps is the minister taking to assess the impact of each of the schemes on economic growth and to prioritise those that will provide the greatest benefit?

Tavish Scott: Last night, I read with interest the weighty tome that is the Enterprise and Culture Committee's report and I agreed with much of it. It is a substantial piece of work and a useful contribution to the debate on economic growth within and outwith Scotland. I welcome the report's recommendations on transport, as they have some useful pointers for us all. There is a programme of major transport projects that were noted in the partnership agreement and we are taking those forward to delivery. When they are fully delivered, they will make an enormous impact on the whole of Scotland and particularly on our economic sustainability. The projects have been assessed, and will continue to be assessed, against those criteria. Today's statement provides an update on the projects, because that is what Parliament asked of me.

Laying out the delivery timetable has been important. The business community has raised justifiable concerns with me about our ability to say when projects will come on stream, how they will tackle pinch points in the road and rail networks, and how they will help the movement of freight on road and rail. We have therefore laid out the timetable as clearly as we could, using rigorous guidelines and rigorous assessments of budgets, and describing the direction of travel and the milestones we have reached.

I make the same point to Mr Fraser that I made to Mr Ewing: the strategic projects review will include an economic assessment of projects. It will look to the future and will continue to consider the pinch points in Scotland's transport corridors and how we can make the best and most strategic investments to assist the growth of the economy.

Bristow Muldoon (Livingston) (Lab): I welcome the minister's statement and the continued record investment in transport infrastructure.

I firmly welcome the news that the minister has reached agreement with Network Rail on twin-tracking the existing Bathgate to Airdrie line. That will make a substantial difference, but does the minister have a completion date for that part of the project?

In relation to the Edinburgh airport rail link, I understand that BAA has expressed concern to the promoter on engineering issues and on costs. Have those concerns been resolved?

Tavish Scott: I will answer the question on the Edinburgh airport rail link first. Discussions continue on the points that Mr Muldoon raises. I hope that all parties—in what is, by any standards, an extremely complex project—will come together with their particular sets of skills and expertise.

The construction of the T5 terminal at Heathrow is also complex, as it involves tunnelling and various other construction issues. More than 40 companies have been brought together in a strategic approach to project management that has been essential to delivering the project on time and—as far as I know—on budget on an extremely difficult site. That is no mean achievement; I want to bring similar skills to bear in what will be an important and strategic investment in Scotland's future.

I do not have the answer today to Mr Muldoon's question on the timescale for the Airdrie to Bathgate line, but I will be happy to write to him with an answer. I certainly hope that we can make progress as quickly as possible.

Mr Andrew Arbuckle (Mid Scotland and Fife) (LD): I welcome the minister's update on public transport projects, underlining as it does the

Scottish Executive's commitment to improving travel options.

Two weeks ago, the minister made a statement explaining the importance of improved public transport to easing congestion on the Forth road bridge. Will he consider supporting an expansion of the park-and-ride scheme to go further up the M90 to include Halbeath, Kinross and even Perth, and to go east to Kirkcaldy?

In relation to improving rail transport, will the minister use his good offices to bring to an early completion the extension to the park-and-ride facility at Kirkcaldy station?

Tavish Scott: I will be happy to look into both those issues. In addition to making improvements to connections and capacity—including increased platform lengths and the provision of trains of a size suitable for peak times—it is essential that we improve the ease of access to stations and alternative facilities if we are to ensure that more passengers can use rail and therefore move away from using their cars. With Network Rail and First ScotRail, we plan to provide an enhanced park-and-ride programme. I will also be happy to consider the points that Mr Arbuckle made about park-and-ride facilities on the motorway network.

Patrick Harvie (Glasgow) (Green): The minister will be used by now to hearing criticisms of his transport policies from this quarter. Our criticisms are generally that investment in public transport is nice but not enough if it happens alongside ever-increasing road traffic.

Given the ever-increasing road traffic in Glasgow and the ever-increasing air pollution that results, and given the Executive's reputation as an advocate of Europe's biggest urban motorway project, in Glasgow, does the minister understand the sense of disappointment that many people in Glasgow will feel because his statement contained not one word about the Glasgow crossrail scheme? Many people in Aberdeen will be similarly disappointed that there was not one word about the Aberdeen crossrail scheme either. When can we expect the minister to get to his feet to tell us that he backs those projects with the same enthusiasm with which he backs the M74 extension?

Tavish Scott: The biggest sense of disappointment comes from Mr Harvie's question, which is always the same. He never gives the Administration any credit for investing 70 per cent of our transport moneys, over a 10-year plan, in public transport. Not once have the Greens ever given any credit to the Government for what it is doing. I am disappointed that a party that claims to care about the environment—although the claim is pretty hollow at times—never gives any credit to a Government that both cares and delivers.

Mr Harvie just was not listening. I made it clear that the programme that I spoke about today was the programme that was in our partnership agreement, that was in our 10-year capital investment plan and that was in the infrastructure plan that will take us up to 2012. We are delivering on the programme and we were asked to report to Parliament on where we were on budgets and timescales. That is what we are doing today.

If Mr Harvie wants to ask about Glasgow crossrail and Aberdeen crossrail in the context of the strategic projects review, that will be fine—but that is where those projects will be considered. We have always said that that is how those projects will be taken forward.

Tommy Sheridan (Glasgow) (SSP): I ask the minister for some joined-up thinking on Glasgow. He will be aware of the plans for a new children's and maternity hospital within the campus of the Southern general hospital, which will create one of the largest hospital campuses in Europe, never mind in Scotland. Given the present woefully inadequate transport links, will the minister give a commitment today to consider plans to create dedicated travel links for the public to and from that super-hospital? Does he agree that that type of project would be effective and would be much more welcome in Glasgow than the spending of £500 million on an unwanted motorway link on the M74?

Tavish Scott: I do not agree with Mr Sheridan's final point on the M74, but I certainly agree with his point about integrated transport planning for primary health care facilities and new hospitals. The Minister for Health and Community Care and I have already had some discussions and the national transport strategy will ensure that the planning of health services is considered from a transport point of view. Mr Sheridan makes an entirely fair point about that. Different Government portfolios will plan how transport solutions for local people can tie in with major investments in our health service, such as the one that Mr Sheridan describes.

Des McNulty (Clydebank and Milngavie) (Lab): I welcome the commitment in the minister's statement to take forward a number of transport proposals. However, just to show that we notice the budget figures, I point out that since previous ministerial statements there has been a change on the Borders rail link—indexation was introduced last March by Nicol Stephen—which has taken the price to more than £150 million, for a project that is highly marginal in its cost effectiveness. It is also fair to point out that the initial commitment to the trams was £375 million for two trams, but now we have £400-odd million for one tram. The task for the minister is to convince us that budgets are

being managed effectively and that projects are being considered effectively.

On Mr Sheridan's point, there are two practical propositions to improve links to the Southern general hospital: extend the Glasgow underground system by establishing two extra stops, one north of the river and one south of it, or link the Golden Jubilee hospital with the Southern general. I put in my bid beside those of others. The minister will know of my interest in the north Clyde development route.

Tavish Scott: All I can say is that we will seriously scrutinise budgets, whether they be in the east or the west of Scotland. I am sure that Mr McNulty, as the convener of the Finance Committee, would expect me to say that.

On budget scrutiny and the process that we now apply to the project management of major capital transport projects, quarterly reviews of project progress against cost and time targets have been established, which identify actions that are needed to ensure projects' success. All of the projects have been reviewed over the past couple of months and, as Mr McNulty would expect, they must continue to represent value for money. The business case for each project is re-examined each time to ensure that there is a need to commit significant expenditure.

In addition to quarterly reviews, projects are subject to the Scottish Executive's gateway reviews, which examine projects at critical stages in their life cycle to provide assurance that they can progress successfully to their next stage.

We have put in place a number of processes and have, quite appropriately, shared details of them with the Finance Committee. They are designed to ensure that projects meet our targets for them.

Bruce Crawford (Mid Scotland and Fife) (SNP): I welcome the minister's statement, particularly the parts about the progress that has been made on building the new Kincardine bridge and the progress of the Stirling-Alloa-Kincardine rail link. However, as the minister is aware, there are concerns about the cost overruns on both of those projects.

With regard to the Forth road bridge, on 10 November the minister issued a press release in which he said that a

"full engineering technical study into the condition of the bridge cables"

would be

"complete by summer 2007".

In November, the Forth Estuary Transport Authority received a report from the bridge master stating that there would be a feasibility study into

replacing or augmenting the cables and that a further tender report would be brought before the board. In his statement to Parliament on 1 March, the minister repeated his promise that the work would be done by 2007.

Is the minister as concerned as I am that there is still no sign of that important tender report, despite the fact that 18 weeks have elapsed since it was said that the full engineering study would be completed by the summer of 2007? During that time there have been two FETA board meetings, and another is due on Monday. I know that the minister is concerned about the issue—it is hugely important. I seek assurances from him that the engineering study will be completed by summer 2007.

Tavish Scott: I will deal first with the points that Mr Crawford made at the start of his question about the two transport projects that he mentioned.

On the cost of building the new Kincardine bridge, the figure of £70 million was estimated four years ago, which represented the expected tender price at that time, excluding VAT. The successful tender bid was £93.5 million, plus VAT. Some of the press comment was somewhat excitable. One of the major reasons for the additional costs was the effect of the large increase in the price of untaxed petrochemical product—that is, blacktop. We should bear in mind the fact that 6.4km of road is involved in that project. That gives some context to the issue.

On the Stirling-Alloa-Kincardine railway, we have been able to get the project team and the processes that I described a moment ago to Mr McNulty to focus closely on some of the cost issues. Work is now at a stage at which we can have confidence in the forecasts. The prospect is positive with regard to the remaining risks. We look forward to progress continuing to be made.

Mr Crawford made a number of serious points with regard to the Forth road bridge. As is patently obvious, I cannot tell the FETA board what to do. However, I know that the board has started initial work on dehumidification. It has let two contracts for early work and it is working on the tender documents for the cabling element. I will write to Mr Crawford with further details in relation to the contracts. I am focused on the need to ensure that we keep to the timescale that has been announced.

Mrs Mary Mulligan (Linlithgow) (Lab): Some members have given a grudging welcome to the minister's proposals, but I welcome them wholeheartedly, particularly his on-going commitment to the Executive's top priority, which is the Airdrie to Bathgate rail link. Will the minister reassure me that there will be no further slippage in the

timetable for either the private bill or starting the work? Given his earlier comments on alternatives to car usage, will the minister comment on the development of new stations on the line, particularly at Blackridge, in my constituency, and at Plains, in Karen Whitefield's constituency? Although I welcome the proposals to double-track the Edinburgh to Bathgate line, does the minister agree that, in the meantime, measures should be put in place to alleviate the problems that my constituents are experiencing because of the cancellation and early termination of trains on that section?

Tavish Scott: Mary Mulligan has raised a number of practical issues to do with the project, which is of strategic importance not only to her constituency but to the whole of Scotland. I recognise those points and would be happy to discuss them with her.

I appreciate the points that she made in the latter part of her question about the challenges—if I may put it euphemistically—that people are facing. We must do better in that regard and find ways to deliver better services. I would be happy to talk about that with those who are responsible.

I hear Mary Mulligan's concerns about slippage in the timetable. It is why we have put in place the processes that I have outlined to Parliament today. The partners who are involved in the project must focus more on meeting the timescales, in terms of the bill and the agreements that have to be reached on the project.

The initial investigation and the review process that I described earlier concluded that some benefits could be delivered early if work to double-track east of Bathgate were separated from work that relies on the bill being passed. As I have said, we have reached agreement with Network Rail on that point. The promoter's work plan needs to include milestones for the submission of the bill, and the design needs to be reviewed from an operator's perspective. We look to all of that work coming together as quickly as possible.

I will write to Mary Mulligan with further details on those important points.

Mrs Nanette Milne (North East Scotland) (Con): I welcome the minister's assurances on the Aberdeen peripheral road, particularly his assurance on where the western leg of it will not go and on the aim to narrow down the route of the road corridor next month. However, I stress the importance of taking an early decision on the exact route in allaying the concerns of the many local residents who currently feel threatened by the road.

What is the anticipated timescale for the completion of the road?

Tavish Scott: I understand Nanette Milne's point about the concerns of local people: many members of all parties have made that fair point. I hope that we will narrow down the route by April, and thereby alleviate as many of the concerns as possible.

It is inevitable that when a major road of this nature is constructed in residential and business areas some people will encounter disruption. That will be the case regardless of the route that is chosen. Most rational people would accept that observation in the context of the road that we are discussing. However, we will do what we can to achieve the spirit of what Nanette Milne said.

It is our intention to meet the timescale that I outlined on 1 December.

Elaine Smith (Coatbridge and Chryston) (Lab): There is much to be welcomed in the minister's statement, particularly the Airdrie to Bathgate line, which will benefit my constituents. However, the minister did not say anything about buses, which are a particularly important form of transport for women. Has the Executive considered the specific public transport needs of women? Does the minister have any plans to consider operating bus services via public provision? The private profit system that we have in many areas at the moment is simply not working.

Tavish Scott: I suspect that those questions would be more appropriately raised in the consultation on the national transport strategy, which will take place soon. It would be entirely legitimate to raise those matters in the consultation. However, we seek to ensure that we are designing and committing to the delivery of an approach to transport that meets the criteria that Elaine Smith mentions. I take her point about buses, but my statement was on our programme of capital investment in rail. We are working with First ScotRail and Network Rail on enhancements to station design to improve people's safety and security, which is why the roll-out of closed-circuit television and other such measures are important. We will continue to work on those enhancements.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The minister is aware of the anxiety of many of my constituents about the Aberdeen western peripheral route, in particular the Stonehaven spur road. His announcement today will be a relief to those who live on the Netherley road.

The minister confirmed that he hopes that the scheme will be finalised in outline by April, but can he confirm that there will be a full public consultation on both routes and an opportunity for people to object to them? Given that there will almost certainly be objections to the two routes,

can he tell me the timescale for a local public inquiry?

Tavish Scott: I confirm that we hope to narrow down the options for the route during April. I take the member's point about public consultation. As I said in my statement, draft road orders will be published by the end of the year and there will be public consultation on them. It is fair to assume that there will be some objections during the consultation. We cannot predict what will happen, but I suspect that that will lead to a local public inquiry, probably in autumn 2007. Some of Mr Rumbles's constituents might wish to avail themselves of those opportunities to express their views.

Dr Sylvia Jackson (Stirling) (Lab): I thank the minister for his statement, in particular for the additional information on the Edinburgh airport rail link that he gave to my colleague Bristow Muldoon. My constituents in Stirling will welcome that link, as will others.

As the minister knows, I continue to have discussions with a group of visually impaired people in Stirling and Mary Dickson of First ScotRail about tactile walkways and ways in which barrier systems could be made more accessible for the visually impaired, particularly at Waverley station, but also at other busy stations, including those in the west of Scotland. What progress is being made on the plans for such innovations and the negotiations on them?

Tavish Scott: Those innovations are the responsibility of First ScotRail and Network Rail. One of the main advantages of the devolution of rail powers—the additional powers that Scottish ministers now have and their accountability to Parliament—is in this area. Practical enhancements can be made by Network Rail as the owner of stations and by First ScotRail as the operator. That will bring improvements to facilities for people who use the rail system. As passenger numbers increase, it is eminently sensible to ensure that we have a range of appropriate facilities that meet the needs of the group that Sylvia Jackson mentioned.

Mr Kenny MacAskill (Lothians) (SNP): I welcome the minister's rhetoric about Waverley station being a flagship for Edinburgh and Scotland. However, as Fergus Ewing pointed out, the Waverley project has two stages and, as Murdo Fraser said, the plans have been in place since 1999-2000. In his statement, the minister made a commitment only to stage 1, which includes work on platforms and disabled access. The plan was available in 2000 and the work could have started then. Why do we need further consultations, given that we have been consulting on Waverley since 1999? Continual consultation appears to be a characteristic of the Executive.

Will the minister match his rhetoric to the reality and make a commitment to stage 2 of the Waverley project?

Tavish Scott: I have to be blunt: there have been many discussions about stage 2, but I do not yet have on my desk an agreed programme from the various partners and the local authority that are responsible for the project. Mr MacAskill criticises me for not agreeing to something that I have yet to see and that has not even been agreed by the partners who are responsible for promoting it. When they agree to a programme I will be interested to see it, but I am focused on delivering what we said we would deliver, which is a £150 million package of enhancements at Waverley station. I repeat the point that I made to other members: the national transport strategy and the strategic projects review represent an important opportunity to look to the future and consider what further enhancements are appropriate.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): Improved and additional park-and-ride facilities are essential if we are to encourage rail travel. I ask the minister to comment on three points. First, the Scottish Executive made a considerable amount of money available to Strathclyde Passenger Transport for park-and-ride facilities at Croy station. What is the Executive doing to encourage SPT to spend that money? Secondly, Network Rail needs to improve Croy station by working on the gap between the platform and the trains, which causes great difficulties. The Executive should press Network Rail to do that work. Thirdly, there was a proposal for a park-and-ride facility at Castle Cary and improved rail links in the Cumbernauld area. I am disappointed that the minister did not mention that this morning.

Tavish Scott: Those projects are important, but they do not come within the capital transport programme. I am happy to write to Cathie Craigie about the details. I share her frustration that the improvements at Croy station are not yet in place. I agree that money was earmarked for the project and that it should be spent on the enhancements that she and I want to see. We have made it absolutely clear that the money is in place and that we expect the work to proceed.

I will write to Cathie Craigie on her other two points because I do not have the details with me today.

The Presiding Officer: That concludes questions on major public transport projects.

Scottish Parliamentary Standards Commissioner

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-4095, in the name of John Scott, on behalf of the Scottish Parliamentary Corporate Body, on the appointment of the Scottish parliamentary standards commissioner for a second period.

10:03

John Scott (Ayr) (Con): I speak to the motion as a member of the Scottish Parliamentary Corporate Body's reappointment panel and invite the Parliament to agree to the reappointment of Dr James Dyer as the Scottish parliamentary standards commissioner for a second term. To assist members' consideration of the motion, the SPCB has published a report that gives the background to the reappointment process and some information on the work that Dr Dyer has carried out to date.

The Scottish Parliamentary Standards Commissioner Act 2002 provides that

"A person who has been appointed for one period as the Commissioner may",

with the Parliament's agreement,

"be appointed for a second period".

Following good practice guidance from the United Kingdom and Scottish commissioners for public appointments and given early indications from the Procedures Committee's consideration of mechanisms for Crown reappointments, the SPCB concluded that the reappointment of the standards commissioner should be considered by way of a non-competitive, administrative mechanism. Therefore, a reappointment panel was established. The panel was chaired by the Presiding Officer and the other members were Duncan McNeil, Nora Radcliffe and me.

An independent assessor was appointed to oversee the process and to say whether good procedures had been followed and whether the appointment was on merit, to give the Parliament added confidence.

Mr Bruce McFee (West of Scotland) (SNP): In annex A to the SPCB's report, Dr Bernard Kingston—the independent assessor—says:

"I am pleased to enclose my Validation Certificate. In addition, this highlights my concern regarding the absence of regular appraisals of the Commissioner's performance.

This runs counter to good practice which requires that public bodies must have in place regular and transparent performance assessment procedures to provide necessary and robust evidence when considering reappointments."

Procedures singularly failed to be put in place.

John Scott: I thank the member for his contribution. Dr Kingston was our independent appraiser and we are grateful for his good works. The matter that Mr McFee mentions was perhaps an omission, but he is well aware that the SPCB's view was that it would be difficult to find someone to undertake appraisals.

Mr McFee: Will the member give way?

John Scott: I will not—[*Interruption.*] I will take no more interventions and I ask Mr McFee to let me finish my point.

I will move on. On the SPCB's behalf, I thank Dr Bernard Kingston, who acted as the panel's independent assessor. He brought a wealth of appointment experience and was of enormous assistance in ensuring that we complied with good practice. As Mr McFee said, in his report and validation certificate, Dr Kingston recommended that we put in place an appropriate appraisal mechanism for the commissioner. We will consider how best to put that into practice. That is also in line with the report on Crown appointees that the Procedures Committee published last week.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): John Scott said that all members of the reappointment panel were from the corporate body. Did the panel consult members of the Standards and Public Appointments Committee? If so, what was the result of that consultation?

The Deputy Presiding Officer (Trish Godman): Mr Scott should be finishing now.

John Scott: Presiding Officer, if I am to answer Mr Rumbles's questions, I ask for some extra time. We did not consult the Standards and Public Appointments Committee in any way other than informally, if that clears up the matter.

The reappointment panel was convened on Thursday 9 February. The commissioner was tested on the skills and competencies that were set out in the original recruitment advertisement and in his job description. Those were: knowledge of the commissioner's remit and role; understanding and awareness of the political and institutional environment in which the commissioner works; use of resources; interpersonal skills; and oral and written communication skills.

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

John Scott: No—I am sorry, but I am out of time.

Dr Dyer's first three-year term in office will end on 31 March 2006. As the first commissioner, he was charged with setting up the role and putting in place suitable policies and procedures. In his first

term of office, he dealt with 71 complaints, 15 of which were fully investigated. We believe that he will continue to be an effective commissioner who will build on his knowledge and experiences to continue to provide the Scottish Parliament and the people of Scotland with a sound and impartial system for dealing with complaints about members' conduct. I am sure that the Parliament will want to wish him every success in his second term of office.

I move,

That the Parliament agrees with the recommendation of the Scottish Parliamentary Corporate Body under Rule 3A.1.2 of Standing Orders that Dr James Dyer should be appointed for a second period as the Scottish Parliamentary Standards Commissioner with effect from 1 April 2006.

10:09

Tommy Sheridan (Glasgow) (SSP): To reappoint the commissioner today would be entirely wrong. The matter is not party political—members across the parties have had serious doubts about the commissioner's work and the public have complained about his handling of cases. I do not believe that he has proved himself to be up to the job. The system that he operates is neither transparent nor accountable and reflects badly on the Parliament's probity.

I will concern myself not with any individual MSP, but with how the reputation of an employee of the Parliament can be damaged—without proof—if they are caught up in a so-called standards investigation and denied even a right of reply. Dr Dyer wrote into one report a serious allegation against an employee of the Parliament over an alleged incident. The commissioner presented no proof that the incident took place and failed to contact the worker to put the allegation to them before doing serious harm to their reputation. He failed to use an earlier official statement that the worker made that refuted the allegation, and failed to tell the worker that their statement was to be removed from his report. He then published hearsay claims in the Parliament's name, but removed an official statement that contradicted those claims. Dr Dyer and the Standards Committee simply went ahead and published a seriously damaging and unproven accusation against a worker in our Parliament and the person was cut off from any chance of challenging the report.

The standards process is not transparent. It is carried on behind closed doors and a report's contents are hidden and unknown until publication. There is no system of appeal to any ombudsman. The unproven allegation is still on the Parliament's website and on paper reports and is presented as if it were true. It continues to damage the worker

and to cause immense stress and it should be removed.

That example suggests that workers in the Parliament will be placed in severe danger if they are ever involved in standards issues, because they will be treated as people who have no equal right to fair play. How could that happen to any worker in the people's Parliament? How did that get past lawyers? The commissioner has asked to use external legal firms, on which he ran up a bill of more than £26,000 last year, although only one case was taken through stage 2. Why was £26,000 of taxpayers' money paid out in one year for lawyers when such intolerable disregard for normal civil and legal rights has been shown? Did any lawyers vet Dr Dyer's work? If so, who were they?

The commissioner operates as a one-man band and is virtually cut off from any accountability. Last year, he objected to his draft work being shown to complainers and accused MSPs to check for errors, and his word persuaded the Standards and Public Appointments Committee to remove that basic right for the public. Even Westminster has a better system, having introduced the safeguard of being able to challenge the facts by a process that uses an independent legal assessor and a panel. By rubber-stamping this man's appointment today, elected members will put third parties—including workers—at risk of injustice.

The Scottish parliamentary standards commissioner is supposed to act fairly and independently and to weigh all the evidence. The example that I have outlined shows that the public and the Parliament can have no confidence in his so doing. Therefore, I call for a halt to his reappointment and for a full investigation by independent outsiders into the commissioner's practices and the standards process.

I move amendment S2M-4095.1, to leave out from "agrees" to end and insert:

"does not, at this stage, agree with the recommendation of the Scottish Parliamentary Corporate Body that Dr James Dyer should be appointed for a second period as Scottish Parliamentary Standards Commissioner and agrees that an independent investigation should be instigated into the transparency and accountability of the actions of the Standards Commissioner and the standards process."

The Deputy Presiding Officer: Two members wish to speak. I can give them two minutes each.

10:13

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I will make just a small point that is not about the individual, but about the process. I intervened on John Scott because I was a bit concerned about the apparent lack of

consultation with our representatives on the Standards and Public Appointments Committee. They deal with the commissioner and must have the utmost confidence in him. John Scott referred to informal consultation. I asked him what the result of that consultation was. It would help if he would tell us that now.

John Scott: Mr Rumbles will be aware that Mr Adam, the Standards and Public Appointments Committee's convener, declined the invitation to be a member of the reappointment panel.

Mike Rumbles: That is not what I am talking about. My point is that Standards and Public Appointments Committee members, who are our representatives, must have confidence in the commissioner. I asked what the result was of consulting the committee informally and I have still not had an answer. I understand that members of the Standards and Public Appointments Committee are not happy. I hope that members of that committee will take part in the debate and will tell us whether that is the case.

We seem to be working in a vacuum, which is not a satisfactory situation. The process is wrong and needs to be revisited.

10:15

Mr Bruce McFee (West of Scotland) (SNP): A generally accepted principle of job interviews is that they are conducted on the basis of trying to ensure the appointment of the best available man or woman for the post. Normally, one would advertise the position and invite applications, which would be sifted so that a smaller number of applicants could be invited to interview. Somewhere down the line, the individual who was believed to be best for the job would be selected. That is what the Parliament did until today.

Today, we are invited to reappoint a commissioner for another three years to an unadvertised post for which no other candidate was allowed to apply, for which no proper evaluation was made of the present post holder's work and for which only one person—the present post holder—was interviewed. There was no element of competition for the post. Such a process would not have looked out of place in Soviet Russia or modern-day North Korea. Welcome to the brave, new, transparent, we-will-do-things-differently Scottish Parliament.

John Scott: Will the member give way?

Mr McFee: I have only two minutes.

Parliament is being bounced—make no mistake about it—into making a decision today by using a process that we have not even debated, far less endorsed. What has been nicely named an “administrative” process for determining the post is

not provided for in either the 2002 act or standing orders but has been decided on by the SPCB alone.

Proponents of the process have made much of the independent assessor. However, Mr Scott was somewhat selective in referring to the independent assessment. The assessor also stated:

“I recognize the argument put that it is difficult to independently investigate the independent investigator but I do not accept that this is insurmountable.”

However, for Mr Scott and the SPCB, evaluating the commissioner's work was never on the agenda.

The Deputy Presiding Officer: Mr McFee, you must wind up now.

Mr McFee: On 8 February 2006, Mr Scott told the Procedures Committee:

“it is important to remember that the officials are independent of Parliament; therefore, we are talking about an administrative procedure rather than evaluation of their work as commissioners.”—[*Official Report, Procedures Committee*, 8 February 2006; c 1374.]

However, we are being asked to accept that, one day later, the same people conducted an interview that was transparent and robust. Who are they trying to kid?

The Deputy Presiding Officer: I can give Margo MacDonald only a tight minute and a half.

10:17

Margo MacDonald (Lothians) (Ind): I simply want to ask Mike Rumbles whether he was suggesting that the appointment should not be confirmed until Parliament has discussed with the proposed appointee changes to the way in which the procedures and process work, given the dissatisfaction with them. Will he clarify that important issue?

The Deputy Presiding Officer: I can give Mr Sheridan a tight four minutes to wind up.

10:18

Tommy Sheridan: I hope that I will not need four minutes, although the shortness of the debate is probably illustrative of the problems of the process, which is woefully inadequate.

Rarely does an amendment in my name enlist support from the likes of Mike Rumbles, Bruce McFee and Margo MacDonald, but this is a cross-party concern. This is a non-political issue that is about process, transparency and accountability. From that point of view, I hope that the Parliament will not rush ahead with or—to use Bruce McFee's term—be

“bounced...into...a decision today”.

Mike Rumbles asked a fair question during Mr Scott's opening speech, but he never received an answer. He posed the question again and allowed Mr Scott an opportunity to respond, but he never received an answer. The truth is that the Scottish Parliamentary Corporate Body has proposed the appointment after establishing itself as a group of independent assessors and without consulting anyone.

Elaine Smith (Coatbridge and Chryston) (Lab) *rose*—

Tommy Sheridan: I give way to Elaine Smith.

The Deputy Presiding Officer: Elaine Smith must be brief, as we have little time.

Elaine Smith: If Parliament does not agree the appointment today, will we be left without a standards commissioner? What are the implications of that?

Tommy Sheridan: We have until the end of this month to appoint a commissioner. After investigating the work that has been carried out by the present commissioner, we may decide that he is not up to the job. I am not for rushing into appointing someone who is not up to the job. I would rather go four or eight weeks without a commissioner and appoint someone who can do the job—

Tricia Marwick *rose*—

The Deputy Presiding Officer: The member cannot accept any more interventions.

Tommy Sheridan: I am sorry.

We should not appoint someone who is not doing the job properly. I hope that Parliament will agree to ca' canny and see a bit of sense. We should not rush headlong into making a decision that might come back to haunt us in the future. I commend the amendment to members.

The Deputy Presiding Officer: Mr Scott has two minutes for his winding-up speech.

10:20

John Scott: The debate has been an opportunity for members to make their views known. On Mr Sheridan's amendment, I point out that the primary legislation gives the SPCB the task of appointing the standards commissioner with the approval of Parliament. That is what we seek to do today. The debate is not about the complaints process, which is provided for in statute.

Mr McFee: Will the member give way?

John Scott: I am sorry, but I do not have time.

The commissioner conducts his investigations and makes his reports under the Scottish

Parliamentary Standards Commissioner Act 2002. Transparency and accountability are provided for by the act. The commissioner is required to report to the Standards and Public Appointments Committee the facts of any investigation and his conclusions on a possible breach of the code of conduct. It is for the committee to decide whether to accept the commissioner's recommendations.

Tricia Marwick: Will the member give way?

John Scott: I do not have time, as I have only two minutes.

Tricia Marwick: On a point of order, Presiding Officer. It is quite unacceptable that, on such an important appointment, members do not have the opportunity either to express their view or to receive an answer to points that they make.

I wanted to make the point, which I hope Mr Scott will confirm, that we are not barred from extending the contract beyond 31 March—

The Deputy Presiding Officer: Ms Marwick cannot ask a question in the middle of a point of order. She did not raise a point of order. The timing of the debate is a matter for the Parliamentary Bureau. If she has a dispute about the timing, she should speak to her business manager.

John Scott: If Mr Sheridan is dissatisfied with the process and the manner in which the commissioner conducts his investigations, he should raise that with the Standards and Public Appointments Committee.

On the other points that were made, I point out to Mr Rumbles that today's debate is about the appointment, not the procedure. The statute gives the SPCB the role of appointing the commissioner.

Mr McFee: The SPCB is not doing its job.

John Scott: Bruce McFee must accept that, throughout the process, we have followed best practice, as outlined by the UK and Scottish commissioners for public appointments.

Mr McFee: The rules have been broken.

John Scott: I do not believe so.

The Procedures Committee has made some good recommendations about future appointments. We welcome those hugely. Subject to the Parliament debating and agreeing that committee's report, the recommendations will provide us with a sound basis on which to proceed in future.

At decision time this afternoon, I hope that all members will support the motion to reappoint Dr Dyer.

Elaine Smith: On a point of order, Presiding Officer. I am concerned about the accusations that

were made from a sedentary position that the rules were broken. If that is the case, do standing orders provide any way in which the procedure can be delayed until the matter is further investigated? It seems inadequate that we have had such a short time for such an important issue.

The Deputy Presiding Officer: That is a matter for the Parliamentary Bureau and for business managers.

Margo MacDonald: On a point of order, Presiding Officer. With all due respect, if Parliament decides that it needs more discussion on the matter, someone would need to suggest that, using the procedures that are available. I do not suggest that that should be done at this precise moment in time.

As the member of the bureau who was responsible for arguing that the appointment should be debated, I feel that we may not have investigated many issues that have been raised in the course of the debate. Members may want to pursue that further.

The Deputy Presiding Officer: The timing of the debate was agreed by the Parliament. If, given the nature of the debate, members now say that they need more time, I can only refer them to the bureau and to their business managers. There is a procedure by which the timing can be changed, but it cannot be changed at this moment.

Tommy Sheridan: On a helpful point of order, Presiding Officer. Members have available to them an amendment that would precisely inspire greater debate and discussion.

The Deputy Presiding Officer: That is correct.

Make Poverty History

The Deputy Presiding Officer (Trish Godman): The next item of business is an independents group debate on make poverty history. I call Dennis Canavan to open the debate. Mr Canavan, you have five minutes.

10:25

Dennis Canavan (Falkirk West) (Ind): Last year, more than 250,000 people took to the streets of Edinburgh to demonstrate their support for the campaign to make poverty history. It was the biggest demonstration that the city has ever seen, and the participants travelled from all over Scotland and Britain—indeed, from all over the world. The aim was to get the message across to the G8 leaders at Gleneagles that it is an international scandal that, in the 21st century, more than a billion people on our planet live on less than \$1 a day and more than 200,000 people die of preventable causes every week. Ordinary people on that demonstration demanded action on aid, trade and debt. The public declaration that emerged from the Gleneagles summit was a step in the right direction, but those fine words have still to be translated into effective action.

The problem of debt is a millstone around the necks of many people in developing countries. During the past 30 years, we have been living off the backs of Africans. For every £1 that rich countries such as ours have put into Africa, we have taken out £17—much of that in debt servicing and repayments. The G8's deal on debt should be worth up to \$1 billion a year for the 18 qualifying countries, but that is small beer compared with the \$10 billion a year of debt cancellation that is required to help developing countries to achieve the millennium development goals. Of course, much of the debt relief is tied to conditions that impose economic policies that make the eradication of poverty more difficult, if not impossible—policies such as the privatisation of water and cuts in expenditure on essential services such as health and education.

A similar situation exists regarding policy on international trade. At the World Trade Organisation negotiations, the British Government and other rich countries seemed more concerned with market access for multinational companies than with allowing developing countries the flexibility to decide their own policies. For example, the European Union has proposed that industrial tariffs should be decided by a predetermined formula that may suit developed countries but which could mean, for developing countries, the erosion of their industrial base, increased unemployment and more poverty.

The G8 summit also signalled an extra £48 billion a year of aid by 2010. If that promise is kept, millions of lives could be saved. However, the aid pledges that have been made this year are not of the scale that is needed to make poverty history, and progress is too slow on meeting the United Nations target whereby countries should spend at least 0.7 per cent of their gross national product on development aid. Fifteen member states of the European Union have now committed themselves to reaching that target by 2015, but that is still nearly a decade away. Between now and then, many people will die of poverty and disease.

It is more than 30 years since the UN set that target of 0.7 per cent of GNP. It is also more than 30 years since Willy Brandt's commission referred to the obscenity whereby spending on international development was only a tiny fraction of what was spent on the international arms trade. The arms race is still one of the biggest threats to the human race, and our Government is one of the biggest participants in it. It is sheer hypocrisy for Tony Blair, Jack Straw, John Reid or anyone else in the Government to lecture countries such as Iran on the dangers of nuclear power when the British Government is plotting to spend billions of pounds of taxpayers' money on the replacement for Trident. What an example to set for the rest of the world.

We should show a lead to the rest of the world by spending more on the eradication of poverty and spending less on weapons of war and mass destruction. We should invest in ways to save human lives instead of in ways to destroy human lives. If such priorities were pursued by our Government and other members of the G8, we would have at least a chance of making poverty history and ensuring an end to the appalling situation whereby, since the start of the debate, more than 100 children have died as a result of poverty. That cannot and must not be allowed to continue.

10:30

Christine Grahame (South of Scotland) (SNP): I endorse and adopt Dennis Canavan's fine words. Alongside the G8 summit, the W8 was set up in the Scottish Parliament early last year to offer practical assistance to African women, one in 13 of whom is likely to die in childbirth or pregnancy. We had a presentation on that yesterday, which was extremely emotional, and I am sure that women in the Parliament will take that issue forward in practical terms.

My colleagues will deal with international aspects of poverty. If the independents will forgive me, I will focus on poverty that is close to home, among Scottish pensioners. The minister this

week launched a consultation on our aging population. That is welcome, but I wonder what effect it will have had seven years down the road. If any pensioner in Scotland is asked what their concerns are, they raise three main concerns: the state pension, council tax and fuel bills, about which the minister will do nothing.

The basic state pension is currently £82.05 a week. Only 17 per cent of women qualify for it, because most of them have not made sufficient contributions. The minimum income guarantee is just under £110, and many people could live on that in Scotland today. However, targeting the pension credit has been a complete failure, as some 40 per cent of pensioners who are entitled to pension credit simply do not claim it. It is reckoned that, United Kingdom-wide, £1 billion in pension credit is not collected.

There is a simple solution. The Government should give people a decent state pension—which would mean that those with small occupational pensions would not subsidise the state pension—and should tax people at the top, such as me. I claim my state pension and I am taxed; that is how it should be. That is what should happen for pensioners in Scotland, and it would immediately release them from some of the poverty that they face. There is no pensioner in Scotland who would not put that at the top of their list.

The second issue is council tax. Just because the house that someone has lived in for years has now become valuable, they face a swingeing council tax. Again, there are targeted benefits, but they simply do not work, with 40 per cent of those who are entitled to claim council tax benefit not claiming it. That is not the Scottish National Party's figure; it is the figure from Age Concern Scotland. I cannot understand why we are not moving towards a local income tax, a service tax or something that is based on ability to pay. What we hear from the Labour Party are the words of revaluation—words that may come back to haunt it. With an election in the near future, the Government is reviewing the situation while pensioners are worried sick about paying their council tax bills—and pensioners pay up; they pay their bills timeously.

The third issue is fuel costs. I do not need to remind members that we have recently experienced an increase of nearly 30 per cent in fuel costs. It is reckoned that, for every 5 per cent increase in the cost of fuel, 30,000 people return to fuel poverty. Many of them are single pensioners living in their own homes, who choose between eating and heating. The warm deal central heating programme has its faults, but it is welcome; nevertheless, there is no point in someone having central heating if they cannot switch it on. It is reckoned that many pensioners

sit in one room with a fire and do not put their radiators on because they cannot afford the bills.

In Scotland, we have one of the highest rates of excess winter deaths—deaths from hypothermia; let us give it its name. It is reckoned that there were 3,500 excess winter deaths in Scotland last year. Other countries that are much colder, such as Sweden and Germany, do not have so many excess winter deaths, yet we live in an oil-rich country.

Margo MacDonald (Lothians) (Ind): Does the member agree that one of the reasons why those two countries have a greater amount of cash flowing through the system, which can go to pensioners, is the fact that they do not spend around £20 billion a year on nuclear weapons?

Christine Grahame: Margo MacDonald will get no resistance from me on that point.

I fully recognise the dreadful picture that Dennis Canavan has painted of poverty throughout the world, to which, I realise, the poverty here does not compare. Nevertheless, I believe that, although we have a duty to those abroad, which we must recognise here—I hope that, one day, when the Scottish Parliament is independent, we will be able to play our full part in that—we must not forget the poverty that exists on our own doorstep.

10:35

Mary Scanlon (Highlands and Islands) (Con): Poverty is a wide-ranging issue with many causes and consequences, and it is impossible to do justice to all of them in such a short time. However, the Scottish Conservatives are very pleased to support keeping poverty on the political agenda.

As Christine Grahame was speaking, she made me think about a letter that I received this week from a lady whose mother is in a care home. My constituent's mother saved all her life so that she could look after herself in her old age but because she is a self-funder, she pays £143 more per week than others in the care home who are partly or fully funded. I have written to the minister about that situation, but if we are talking about poverty, we also have to think about giving people the incentive to save so that they can look after themselves in their old age without being penalised by being ripped off in a care home.

Yesterday Christine Grahame, Shiona Baird, Rosemary Byrne and I heard a presentation from the charity Safe Hands, which is raising funds to help and support women in Africa—specifically, Ethiopia—to give birth safely. It is not appropriate to go into detail about that today; I will say only that whatever is said on the subject of poverty

today in Scotland, the situation here cannot be compared to the plight of women in Africa who have to give birth with no trained person to help them and, when complications set in, who have no money to pay for transport to hospital. That leaves many women crippled and incontinent for life, and many stillborn children. My colleague, Nanette Milne, will discuss health issues further.

As Dennis Canavan said, last year was clearly an historic year for the make poverty history campaign. There was an unprecedented level of campaigning to end global poverty that gained enormous public support and raised understanding of the many issues involved. On a political note, I welcome the input and involvement of Sir Bob Geldof as an adviser to the Conservative anti-poverty group. The results are already to be seen in David Cameron's document "Built to Last", which states:

"It is our moral obligation to make poverty history."

The Scottish Conservatives welcome that commitment, as well as the commitments to free and fair trade, to increase international aid and to press for further debt relief. The problem can be summed up in one statistic: although more than 40 per cent of the world's population live in low-income countries, those countries account for only 3 per cent of world trade.

Today we can focus on poverty in Scotland. Help the Aged Scotland has highlighted the yearly increase in winter deaths among the elderly, to which Christine Grahame referred. Although the central heating initiative and improved insulation are certainly helping, much more needs to be done to improve energy efficiency in our homes so that the elderly are not frightened to switch the heating on.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Does Mary Scanlon agree that although we welcome the central heating and insulation initiative, delivery in some of our constituencies is rather patchy, and that, despite the best intentions of the Scottish Executive, we are not quite getting there?

Mary Scanlon: I could not agree more, and I do not think that there is a member of this Parliament who has not heard from someone who has had a very bad experience. Elderly people find the experience quite traumatic and I am not sure that all the fitters are fully trained.

Poverty has no age barrier and can affect the youngest of children as well as the oldest of people in our communities. Young people are, however, wholly dependent on their parents' lifestyle and choices. We hope that the cross-party review group that was announced by the First Minister recently will help to support the many children with substance-abusing parents.

One group that should not be forgotten is the increasing number of working adults without dependent children who live in income poverty; their number has increased by 100,000 in the past decade. They appear to be the forgotten ones in Chancellor Brown's tax-and-spend regime.

In 2004, almost 3,000 young people left school in Scotland with no qualifications—hardly preparation for the world of work. Further education colleges offer a second chance and many come back into education and training in their 20s, 30s, 40s and 50s, but it is unfortunate that colleges such as Inverness College are faced with cutting another 25 lecturing staff, which reduces the number of courses available and thereby the training, education and career opportunities for many in the Highlands.

10:40

Mike Pringle (Edinburgh South) (LD): I welcome this debate and agree with almost everything that Dennis Canavan said. Eradicating global poverty requires commitment across the United Kingdom. Although foreign policy and international development are reserved matters, all levels of Government can and must contribute to eradicating global poverty. The Scottish Executive must continue to support the principles laid out by the make poverty history campaign.

Every day, 50,000 individuals die unnecessarily because they live in poverty. How many people have died since this debate started? More than one in four individuals lives in extreme poverty on less than \$1 a day. As a developed nation, we must help our fellow citizens worldwide to achieve a higher quality of life. Britain has already committed to cutting in half the number of people who live in extreme poverty by 2015, but we can do even more.

As part of the three-pronged approach presented in the make poverty history campaign, the United Nations has announced the target of 0.7 per cent of national income that countries should commit to spend on foreign development and aid. The Labour Government in London has promised to reach that target by 2013, but I suggest that that promise is not good enough. The Liberal Democrats advocate achieving that important landmark by 2011, and we should be at least at 0.5 per cent now. We are still falling far short.

Fifty billion pounds more in donations is needed to help to eradicate poverty worldwide, and Scotland must play its part.

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

Mike Pringle: I will finish my point.

Of that £50 billion, £25 billion could come from not building a new Trident submarine.

Patrick Harvie: I entirely agree with the member about Trident.

Does the member agree that the Scottish Executive and Parliament are perfectly able to make up the shortfall between what would be spent on our behalf on international aid if we met that target and what is being spent at present?

Mike Pringle: As I have already said, we can all do more. Of course, the Scottish Executive has already committed £3 million to work in Malawi and Africa, but I am sure that we can all think about how we can improve on that.

Public opinion is on our side. The make poverty history march in Edinburgh in July 2005 drew 225,000 people, making it the UK's largest demonstration against global poverty. As the MSP for Edinburgh South, it was wonderful for me to see the streets of my constituency filled with coaches and buses from all over the UK. The huge sea of white that was created on the Meadows, which all who were there that day will remember, spoke volumes. Additionally, 800,000 people campaigned online to eradicate poverty, and 8 million across the UK wore the white make poverty history band to demonstrate their support. The public strongly supports a full commitment to eradicating global poverty and the Scottish Executive must do the same.

The Scottish Executive has been able to provide funds to alleviate poverty in countries such as Malawi, which I visited again recently and on which I will speak in tonight's debate on the Commonwealth. We must continue to support the principles of the make poverty history campaign.

It is also important to note that we have made progress. Focusing on Malawi, to which Scotland is historically linked, the Executive has set up the Scottish Malawi appeal fund, giving £1.2 million for projects fighting AIDS and establishing the co-operation agreement to provide practical help in Malawi.

We have already started down the path of playing an important role in the eradication of global poverty and we must continue to follow that path. It is up to the Scottish Executive to take a leading role and advocate a full commitment to fighting poverty worldwide. The principles that have been laid out by the make poverty history campaign are the right ones, and we must continue to ensure that they are carried out. We must do everything within our power to fight the catastrophe that is poverty and to protect the rights of individuals worldwide. The Liberal Democrats, as the true internationalist party, will continue to press for that to be done.

10:45

Des McNulty (Clydebank and Milngavie)

(Lab): Last week, I attended a memorial service for Hugh McCartney, the former Labour MP for Clydebank and Milngavie and, before that, for Dunbartonshire East. Hugh is an example of somebody who fought against poverty all his life. He had the opportunity to work through the trade union movement and in the parliamentary Labour Party, whose 100th anniversary this is. Despite what Christine Grahame has said, I am in no doubt that the Labour Party is the party that has constantly fought for social justice. It was the Labour Party that introduced the national health service and all the other mechanisms that are designed to address poverty.

Christine Grahame: Will Des McNulty take an intervention?

Des McNulty: Members of Christine Grahame's party could not even be bothered to turn up to Parliament when the minimum wage was introduced. They constantly opposed family credit, which has provided significant gains to poor people in my constituency, where unemployment has been halved since 1997. Members will be aware of the substantial improvements that have been achieved through tackling child poverty; the Labour Party bows to no one in its efforts to deal with poverty.

However, I do not want to engage in party politics for too much longer, because there is an argument that we all need to make and it needs to be shared by the whole Parliament. It is the question of how we tackle third-world poverty, debt and trade, and on that matter we should be working on a consensual basis. I certainly appreciated Dennis Canavan's speech this morning and I appreciate his long-term commitment to tackling those issues.

If we look at the issue from outside the confines of the party-political cockpit of the Parliament, we see that it is Gordon Brown, Tony Blair and Hilary Benn who stand at the international forefront of the drive to take those issues into key areas such as the European Union's central chambers and the G8 summits, promoting the commission for Africa and trying to secure the support of other nations. They have been bringing to George Bush's attention the plight of the third world—not always successfully. I recognise that there is much more to be done, but there has been massive public mobilisation around the issue, which represents a step change from what we have experienced before.

When Gordon Brown made his speech at the 40th anniversary of the Scottish Catholic International Aid Fund last October, he made it clear that the key issue is tackling trade. Unless

we give people in Africa reasonable conditions of trade and an opportunity to sell their goods, the plight of those in consistent and spiralling poverty will worsen. That change in trade is not one that can be achieved without there being a cost to us, and it will not just mean the price of supermarket goods increasing. We have to stop using the share of the world's resources that we are currently using. Anybody who has been to Africa, seen deforestation and asked where the resources gathered in Africa are actually being sent to and used will recognise that we in the west are living on the backs of the poor countries and the poor people who live there. We cannot do that, and we must explain to people that we cannot continue to do it.

We cannot simply rely on capitalism to change itself from the inside. We have to change the way in which we are governed and the way in which we operate to deal with poverty in our society. Those are big questions that my party wants to address, and I hope that other parties also want to do so.

10:49

Linda Fabiani (Central Scotland) (SNP): I really enjoyed listening to Dennis Canavan opening the debate. It struck me that he had so much to say and so little time to say it in, which is a mark of just how big the poverty agenda is, both nationally and internationally.

Dennis Canavan made the important point that, although we can have respect for Hilary Benn and for others who are doing some good work, there is fundamental bottom line, which is that we do not contribute the 0.7 per cent that we said we would contribute. Other countries that are comparable to ours manage to do so, but we do not, and until we meet that commitment we have no right to be parading about saying just how wonderful we are.

Patrick Harvie mentioned that it would be possible for this Parliament to do something, and indeed it would. We welcome the £3 million that was announced for international development, and it is wonderful that this Parliament is taking a stand, but other devolved legislatures—in the Basque Country, for example—use a portion of their income for international development. I would like the Government in Scotland to say that that is something that it wants to achieve, and it is something that would gain cross-party support in this Parliament.

There are lots of different issues that could be mentioned, but as there is not enough time to cover them all, I want to highlight the hypocrisy of the developed countries in the European Union, whose own commissioned studies have come to the conclusion that trade liberalisation harms poor communities and environments, yet which still

push ahead with the agenda of pressing developing nations to agree to ambitious market targets. We have to stop pushing those poor countries, through the world trade talks, to open their economies in ways that suit us, and we must respect their right to decide their trade policies so that they can end poverty and protect the environment.

That is not a naive view, because I also recognise that there are highly inappropriate forms of democracy in some developing nations. Governance is a really big issue, so we also have to fund governance measures in a lot of those countries to ensure that the people who are worst affected actually help to make the decisions on how to move their countries forward. We can sometimes be a wee bit smug when we look at some of the things that we are achieving, and we tend to think that things are working well when the reality is often different.

I am going to say something about Malawi, because I was there last week and it is freshest in my memory. It may look on the surface as if we are doing really well with HIV/AIDS programmes in which there is take-up, and people are quite positive about how things are moving forward, but there is also evidence that there is not equality of access to treatment in some of those health programmes, because the poorer people are not getting the treatment. There are cultural reasons for that, so education at grass-roots level is needed in communities, so that they can grow and blossom into something that will help the country to make progress.

We talk about the fact that some African countries have achieved 100 per cent primary school education. That might be the law, and it is wonderful, but there are a heck of a lot of orphans out there who cannot get to school because they are looking after younger siblings and trying to earn money to keep the family. There are about a million orphans in Malawi alone, which will be a huge issue for the future, and it is something that we must consider if we are serious about moving the country forward.

I am not knocking what people are doing, but I caution all of us not to get too carried away with what we see as good results on paper. Let us be a bit more objective when we look at what we are actually achieving, and let us recognise that social organisations as well as Governments need to be funded. I hope that such organisations in Africa will blossom and move up, as happened in Latin America. I hope that what comes down from the top level will help to create a better future.

10:53

Mrs Nanette Milne (North East Scotland)

(Con): It must be a matter of concern to any civilised society that poverty is still a global problem in the 21st century, and I would like to touch briefly on a few of the health problems that arise from it. Whether as a result of natural disaster, conflict or corrupt government, there are still huge numbers of people suffering from severe malnutrition. Maternal, infant and child mortality rates are unacceptably high in many countries, and life expectancy is very short in much of sub-Saharan Africa as a result of the modern scourge of HIV/AIDS.

Scotland's involvement with Malawi has brought home to us the seriousness of the health problems that face such impoverished countries. With more than 65 per cent of its people living in poverty, and a further 27 per cent in extreme poverty, Malawi is among the 10 poorest countries in the world. Almost unbelievably, life expectancy there has fallen by 10 years since 1990—from 48 down to 38—due to causes that are largely preventable. Maternal mortality in Malawi is the third highest in the world and cultural behaviour, coupled with a lack of resources and economic opportunity, makes women particularly susceptible to poor health.

An annual population increase of 2 per cent in a country that is short of midwives, obstetricians and equipment has resulted in an infant and child mortality rate that our society can scarcely comprehend. The steps that the Scottish Executive has taken in recent months, following last year's launch of the Scottish Malawi appeal fund, are to be commended, but there is still a long way to go.

The improvement of maternal health is a millennium development goal of the United Nations, which aims to reduce maternal mortality by 75 per cent between 1990 and 2015, but huge effort is still required if that is to be achieved. It is estimated that reproductive health care is needed for 200 million women worldwide who have no access to safe contraception, and more resources and trained medical staff are badly needed in many developing countries. The necessary services will not be provided without significant help from the world's developed nations and it is our moral duty to provide at least some of the help that is required.

As we have heard, poverty is not confined to third-world countries. Even in Scotland, the impact of poverty—albeit relative—on our nation's health can be observed. We can all point to areas of deprivation in Scotland today and we know that there are pockets of severe deprivation in rural and even in affluent communities. It is shocking that eight out of the 10 authorities in the United

Kingdom with the lowest male life expectancy are here in Scotland. The Joseph Rowntree Foundation report "Monitoring poverty and social exclusion 2003" showed that, proportionately, there are more premature deaths in Scotland than there are in the rest of Britain; that mortality rates among the under-65s in Scotland's most deprived districts are twice as high as they are in the least deprived districts; and that, at the other end of the age spectrum, Scottish five-year-olds have an average of two and a half missing, decayed or filled teeth, whereas children in the south-east and the west midlands have just one such tooth.

Everyone was quite shocked by the map that was published last month that showed the postcode differences in the incidence of cancer in Scotland. Men in some areas are almost three times more likely to develop lung cancer than those who live in other parts of the country. The rate in Glasgow, where 145 out of every 100,000 men have lung cancer, is the highest, whereas the rate in Shetland is just 54 per 100,000. Those figures—it is clear that they are related to the high prevalence of smoking in deprived areas—are a stark example of the need to encourage lifestyle changes in today's Scotland. Thankfully, we do not have the problems of extreme poverty that are found in third-world countries, but we still have a long way to go in tackling the health inequalities that prevail in early 21st century Scotland.

10:57

Patrick Harvie (Glasgow) (Green): I commend the independent MSPs for choosing to debate poverty.

I repeat some remarks that I made at a Fairtrade event in Glasgow last week. Fundamentally, poverty is not a law of nature; overwhelmingly, the poverty that exists in our world is the result of choices that have been made. The Fairtrade movement is composed of people who are not content to wait around for their Governments to make better choices on their behalf and who understand that, through their choices, they have the power to make a difference.

An argument that received an extremely positive reception at the event in Glasgow was that free and fair trade is a meaningless concept because free trade and fair trade are incompatible. Governments and corporations are either free to exploit other people or they are not, and the exploitation of others is not compatible with fairness. I certainly hope that Mr Geldof explains that to my Conservative colleagues.

Mr Brian Monteith (Mid Scotland and Fife) (Ind): Does the member think that Mr Geldof, who ran the Conservatives' election campaign, would

ever take an advertising account from the Conservatives again?

Patrick Harvie: I do not propose to speculate on Mr Geldof's motives in relation to the Conservative party.

The rest of my remarks will deal with issues that were raised by our guests at an international conference that was hosted partly by the Scottish Parliament; the guests included parliamentarians, representatives of non-governmental organisations and others from around the world. The inter-European parliamentary forum on population and development—I admit that that is not the snappiest title an organisation might have—seeks to promote sexual and reproductive health and rights, the lack of which is deeply linked to poverty. In extreme cases, more than 30 per cent of a country's population might be HIV positive. The approach of some Governments in promoting the idea that it is wrong to use condoms is not morally defensible and has huge economic, as well as social and human, impacts.

In other developing countries that do not suffer from that particular chronic problem, the extent to which people have sexual and reproductive health and rights has a profound impact on poverty. We all acknowledge that the status of women in society is connected to poverty and is an important factor in a country's development. The issue is not just a matter of education. The right to make choices about how many children to have, when to have them and with whom is fundamental. The power to exercise that right is fundamental to women's position in society and the development of society. It is not a coincidence that most women in developed countries are accustomed to having such rights and take them for granted.

It was important that the European forum hosted the conference that I mentioned, which took place before the G8 summit at Gleneagles. The aim of the conference was to influence the summit agenda, because there are countries—such as America—and institutions that go around the world attacking the idea that everyone should have sexual and reproductive rights; they seek to deny those rights to people in developing countries and even threaten to remove them from people in developed countries.

In the light of that international dynamic, it is essential that countries that are committed to sexual and reproductive health and rights advocate their position with clarity and consistency. I hope that members of all parties—those who think that the future lies in independence and those who think that it lies in devolution—will support the idea that the Parliament should play a greater role in international development; after all, many other

devolved institutions are capable of exercising such a role.

11:01

John Swinburne (Central Scotland) (SSCUP): How do we define poverty? Rather than take an international perspective, I will be parochial. The official definition is that any household whose income is less than 60 per cent of the median income is in poverty. That is good political doublespeak. Let me make myself clear: people do not need politicians to define and explain poverty. Quite simply, when someone cannot make ends meet they are not only in poverty, but they are bang in trouble.

A university study concluded that the minimum amount that would be required simply to keep body and soul together—for anyone, far less for a pensioner—was £160 per week, which would allow for no luxuries at all.

Mike Pringle: Will the member give way?

John Swinburne: I am sorry, but I have only four minutes.

Next month the level of pension credits will be raised to £114 per week and means testing will apply. However, only the master of the house will receive that sum; the spouse will receive the usual 50 per cent of her husband's pension. Is that equality? Quite frankly, I am of the opinion that the average politician—perhaps I should say median rather than average—could not even spell the word “equality”. Ladies gain such equality only when their partner dies. The good news is that pension credits will be index linked until 2008. The UK spends between 5 and 6 per cent of its gross domestic product on such things as pensions. In other, more advanced, European countries the figure is as high as 15 per cent.

I look forward to a time when there is no need for organisations such as Age Concern and Help the Aged to exist because our Government is doing what it was elected to do. Those worthy organisations must be praised for the great work that they do, but surely our policies at the top level should aspire to do more than provide a level of charity care for the elderly who have served their country well and contributed to it all their lives.

How can anyone be expected to live on the paltry sum of £114 per week? It is a fact that 83 per cent of women pensioners do not receive a full pension, which is only £82.50 per week. It is a fact that £600 a week is the cost of keeping prisoners incarcerated; they are not means tested and there is no clawback, which is not the case with students. It is a fact that 35 per cent of pensioners do not apply for pension credits. When the former Secretary of State for Work and Pensions, Andrew

Smith, introduced his green paper on pension credits at Westminster in December 2002, he admitted that the Treasury had budgeted for only a 66 per cent uptake. So far, that is the only estimate that he got right.

The forecasted increase in the number of pensioners in the next few decades must cause considerable disquiet, even among politicians who are most adept at burying their heads in the sand.

The Deputy Presiding Officer (Murray Tosh): One minute.

John Swinburne: In this life, we get only what we pay for; all politicians have to face up to that reality. If we are to fund future pensions, which must be paid without means testing, we must opt for a realistic increase in national insurance contributions. No matter how unpopular it would be, NI should rise to a compulsory minimum of 6 per cent of total salary.

If pensions are means tested, pensioners who have other sources of income would see their citizens pension of £160 per week reduced through income tax. For example, my citizens pension would be reduced to £96. The big fear for political parties is that the introduction of such a measure would be electoral suicide for the party that proposed it. The media have brainwashed political parties into thinking that any commitment to tax increases equates to political failure at the ballot box.

It is essential, therefore, that the benefits of tax increases are marketed to the public to make them more acceptable to voters. For example, sabbaticals could be introduced into the equation: on reaching the age of 50, people could take time out on a sabbatical of six months or more. The time that they took would automatically be added to their working life—in effect, a sabbatical would act as an extension to someone's retiral date. Sabbaticals would allow people to take quality time in the prime of their lives when they are at their fittest and able to fully enjoy a break from the daily treadmill. According to medical experts, such sabbaticals are beneficial to life expectancy.

The Deputy Presiding Officer: I must hurry you, Mr Swinburne.

John Swinburne: A recent study forecast that the life expectancy of a child who is born today is 97 for a female and 93 for a male. When the retiral date was reduced in 1920, from 70 to 65, life expectancy was a mere 49 years.

The Deputy Presiding Officer: You must close, Mr Swinburne.

John Swinburne: We must do away with means testing, which is not only an abomination but acts against saving. By all means, we should give all possible help to alleviate the

circumstances of the poor in Malawi and other parts of Africa, but we must not forget those at home who are suffering—

The Deputy Presiding Officer: I am afraid that I have closed down your sound, Mr Swinburne. You are more than a minute over your time.

11:07

Helen Eadie (Dunfermline East) (Lab): Caring about poverty issues at home and abroad must be key to and at the heart of any politician's *raison d'être*. When Labour came to power in the United Kingdom in 1997, we found that child poverty had doubled since we were last in power. It is now falling significantly; indeed, it is falling faster in this country than it is in any other country in the European Union. However, we want to make progress and we must make progress.

It is not acceptable for any child in this country to grow up in poverty in this day and age. That is why it is right that we have set ourselves the objective of eliminating child poverty. In 1997, we found that 4.2 million children were living in poverty and almost 5.5 million people were living on benefits—almost 3 million more than in 1979. We also found that the number of people who were claiming unemployment benefits had risen by 50 per cent and that the number of those who were claiming lone parent benefits and incapacity benefit had more than tripled.

Again, in 1997, we found that 2.8 million pensioners were living in poverty; many of them were expected to live on as little as £69 a week. People had been condemned to a life of dependency on benefits; they had been written off. Families were suffering intergenerational poverty; they had little expectation of work. Communities had become breeding grounds for despair and low aspiration. In partnership with the Westminster Government, the Scottish Executive has made it a top priority to tackle that legacy. By raising aspirations and breaking cycles of deprivation, we have made a difference.

Patrick Harvie rightly said that we should develop fair trade. I would couple that with the development of co-operatives and mutuals. I declare an interest as an MSP who is sponsored by the Scottish Co-operative Party.

Instead of being at the bottom of the league tables, the UK is now close to the European average for child poverty. We have made the biggest improvement of any EU country. More people are now in jobs than was ever the case in the past—the figure is more than 2.3 million higher than it was in 1997—and the number who are on benefits has fallen by around 1 million. With almost three quarters of the working-age

population in work, our employment rate is the highest of the G8 countries.

Pension credit has made a real difference for millions of pensioners: in the last year alone, the number of pensioners who are in relative poverty has gone down by 15 per cent. The Government has provided additional support for all pensioners; I am thinking of the above-inflation increases to the basic state pension and £200 winter fuel payments, with £300 going to households that include a pensioner over 80. I am also thinking of the one-off payments that the Government has made to those over 65, including the extra £200 payment to help with council tax, and the free eye tests for all pensioners and free television licences for those over 75. Most help has been targeted at those pensioners who need it most.

Pension credit is helping a large number of pensioners. In November 2005, figures showed a fall of 1 million since 1997—from 2.8 million to 1.8 million—in the number of pensioner households living below the 60 per cent of median income threshold. That is a remarkable achievement, which comes at a time when median incomes have risen quickly thanks to the success and stability that we have seen in our economy.

In December 2005, pension credit was uprated to £114 and that uprating will continue in line with earnings until at least 2008. In November 2005, the Department for Social Development published figures that showed that annually £221 million of pension credit goes unclaimed by many thousands of pensioners across the country. That is an important issue and all of us hope that our colleagues in Westminster will address it.

In 2005-06, as a result of the measures that it introduced, the Government spent an extra £11 billion on financial support for pensioners. The Government has targeted the increase at the poorest of pensioners, which means that almost half of the spending—over £5 billion—has gone to the poorest third of pensioners. They have seen big improvements in their circumstances.

Since 1996-97, the number of pensioners on absolute low incomes has decreased by more than 2 million, from 2.8 million to 700,000. Housing costs are taken into account in those figures.

11:11

Frances Curran (West of Scotland) (SSP): I, too, welcome the debate. When we had the G8 in Scotland last year, a quarter of a million people demonstrated in Edinburgh, more than 9 million people bought the make poverty history wristband and 360,000 people e-mailed Tony Blair on the issue. It is absolutely clear that the people of Scotland and Britain wanted their Governments and the G8 summit to make poverty history. Did

the G8 summit make poverty history? No; that was a complete and utter illusion—the G8 was a magician's trick.

Some members did not buy in to the Government-sponsored protest and spin. Did the G8 leaders have the power to make poverty history? Yes. Could they have implemented the policies that they said they would implement? Yes. Did they do so? No—because they are the bag carriers for the neo-liberal free market capitalism that benefits the multinational companies.

I cannot agree with Des McNulty that the Commission for Africa is such a good thing and that all of us should pull together to support it. It fills me with fear that the Commission for Africa is supporting, and will work with, Business Action for Africa, a body that represents the African interests of companies like Halliburton, Exxon Mobile, Coca-Cola, General Motors, Microsoft, Shell, De Beers, Diageo—the list goes on. Poor countries are trying to protect their economies and maximise their resources including their agriculture, oil, diamonds and minerals and, all the time, those vultures are circling on the sidelines.

Poor countries are trying to do that, yet the most important decision that the G8 and the World Trade Organisation could take was to state their intention to force indebted and poor countries to open up their economies to multinational investment. The G8 and the WTO want to stop protection and force through the privatisation of health and education in the poorest countries. It is as if they think that the multinational companies have no agenda for profit or exploitation. Is the main concern of those companies, or the reason that they are involved in Business for Africa, a desire to lift out of poverty all the poor children—the starving masses—whom we see on television? No, it is not.

The G8 and Blair and Brown's central neo-liberal agenda causes world poverty, yet they cannot even guarantee that their agenda works. Brazil adopted neo-liberal free market capitalism, and that country crashed and burned. Argentina adopted it and it, too, crashed and burned, as did the south-east Asian economies that adopted it. There are no guarantees that neo-liberal free market capitalism will work for Africa.

Some Governments around the world are fighting poverty; their policies are making poverty history. Last year, Hugo Chavez's socialist social justice programmes lifted 3 million people in Venezuela out of poverty. He is also working to help his neighbours. He will hand over 150,000 barrels of diesel every month to Bolivia, which is one of the poorest countries in South America. Hugo Chavez has said that he will not accept a cent from Bolivia and that it can pay in agricultural products.

Evo Morales is the new president of Bolivia. In Bolivia the privatisation of water was prevented by a general strike and mass protests and riots in the street. Bolivia will provide us with a model for the eradication of poverty, because Morales says that he will eradicate poverty in Bolivia by nationalising the country's oil and gas resources and by working with other partners in South America. The nationalisation of energy reserves is the key to eradicating poverty.

The good news for the 9 million people who bought make poverty history wristbands and for the 360,000 people who e-mailed Tony Blair is that there is an alternative. The Parliament should support protest movements and Governments throughout the world that are gaining more support every day because they have put socialist issues on their agendas and are eradicating poverty and making it history.

11:15

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The debate has been interesting and thought provoking. I will briefly comment on as many speeches as I can and try to draw out common threads in the debate.

I congratulate Dennis Canavan on a fine speech. He told us that a billion people live on less than \$1 a day. Such statistics certainly make us think. Ours is one of the richer nations of the world and Dennis Canavan brought that home to us. He and other speakers referred to the iniquity of the arms race and my colleague Mike Pringle—and others—mentioned Trident.

Christine Grahame rightly drew our attention to poverty at home. It is a sad, almost tragic aspect of society that benefits are not taken up by people who are entitled to them. We must tackle that problem.

Mary Scanlon made a good point about incentives to save. I am co-convenor of the cross-party group in the Scottish Parliament on tackling debt, which has begun to consider evidence that some banks appear to be less than scrupulous in their approach to debt. People can get into a tragic debt trap, in which one debt leads to a bigger debt that must be paid back at a higher rate of interest. I hope that the cross-party group will consider the matter in the Scottish context, but perhaps the international banking system should consider how it operates.

Mike Pringle talked about the role of the Scottish Executive and rightly drew attention to the £3 million that is being sent to assist with the situation in Malawi. Given the contact between Scotland and Malawi, such aid is appropriate. Like many members, Mike Pringle talked about the extraordinary demonstration—that sea of white—

that we witnessed in Edinburgh last July. Although I agree with all speakers that much work remains to be done, the number of young people who turned out to demonstrate that day gives me cause for optimism. I am no longer young, but young people are better at getting involved in the issue than we or our parents were. Involvement seems to have grown organically among young people. I do not know why that has happened but I welcome it, because it is a positive indicator for the future.

Des McNulty started his speech by making political points but then pulled back and made a fine speech—I look forward to Brian Monteith's summing up. Des McNulty pointed out that work is being done via the Scottish Executive. Notwithstanding the poverty in this country, which members mentioned, we should consider this country's GDP and the fact that people who are in employment can spend amounts in supermarkets every week that their parents would never have dreamed of spending. People in work have more disposable cash than has ever been the case. If we calculate the amount of money that is needed to end poverty as a percentage of world GDP, it is clear that poverty could be eliminated with a click of our fingers. We must not forget that it would be easy to eliminate poverty.

Tommy Sheridan (Glasgow) (SSP): The member says that people in work have more disposable income than has been the case at any time in living memory. Does he accept that the working poor account for the biggest growth area in poverty? Does he agree that being in employment is not enough and that people must be well paid?

Mr Stone: Tommy Sheridan's comment reflects the good thing about this debate. Unlike many parliamentary debates, this is a proper debate because we are attempting a philosophical discussion and examination of the issues. The range of comments that have been made gives me hope that, collectively, we can tackle poverty. If the debate does nothing else, it will surely prod our collective conscience. As every speaker said, we should follow up the debate with work outside the Parliament.

I am sorry that I do not have time to talk about the speeches that Nanette Milne, Patrick Harvie, John Swinburne, Helen Eadie and Frances Curran made, but I echo Frances Curran's comment that the people of Scotland turned out to demonstrate in Edinburgh because they care. That is wonderful. I mentioned problems to do with the central heating programme in an intervention during Mary Scanlon's speech.

As members said, there is no doubt that the fair trade movement is a huge contributor to the eradication of poverty. It is fascinating that the

movement has evolved, just as young people's engagement has evolved. If we can build and deliver on that, we can do a great deal.

11:21

Murdo Fraser (Mid Scotland and Fife) (Con): The debate has been wide ranging, as members have said. Members have talked about poverty at home and in the international context.

Dennis Canavan kicked off the debate by referring to the international situation and identifying three issues: trade, aid, and debt. A number of speakers offered statistics that underline the problem. Every year, 10 million children die of hunger or preventable disease—one child dies every three seconds. Some 25 million people in sub-Saharan Africa are infected with HIV/AIDS, according to the official figures. In Malawi, which I visited recently with other members, the official infection rate among adults is 14 per cent—in reality the rate is probably higher. HIV/AIDS is probably the most serious problem in sub-Saharan Africa. As Nanette Milne reminded us, in many countries life expectancy is falling. For example, in Malawi life expectancy has fallen by about 10 years. The situation is deeply worrying.

What can be done? A number of members called for measures that could improve the situation. We should consider our trade rules, as Des McNulty and others said, because the rules militate against access to our markets by third-world traders. When we were in Malawi, Mark Ruskell and I visited sugarcane producers who access the fair trade market, which is of considerable benefit to them. However, the producers that we met were hampered by European Union quota rules, which prevent them from exporting to the EU as much of their crop at market rates as they should be able to export. If the markets were open to them they could create wealth and deliver prosperity to their country. They are not able to do so, simply because of the international trade rules.

Frances Curran: Does the member agree that the common agricultural policy and system of subsidies should be dismantled as soon as possible?

Murdo Fraser: I would not call for the wholesale dismantling of the CAP at this stage, but we must reform the policy. It is nonsense and an abuse of EU taxpayers' money that, for example, we subsidise farmers in Italy and Greece to grow tobacco.

Members mentioned the valuable fair trade movement, which has grown in leaps and bounds. Consumers in this country exercise choice and decide to support producers in the third world. This

week I was interested to receive a letter from Marks and Spencer, which said that its shops stock more and more fair trade products as a result of consumer demand.

Patrick Harvie *rose*—

Murdo Fraser: I apologise to Patrick Harvie, but I have only five minutes for my speech and I will not be able to make all the points that I want to make if I take more interventions.

Foreign aid has grown exponentially in recent years. In particular, there has been an explosion in personal giving during the past two decades. Of course Governments are giving more, but often the direct aid that individuals give to charities and non-governmental organisations is more effective, because there is more control over how the money is spent.

Governance is the key to many issues to do with poverty in the third world, as Linda Fabiani said. There must be democratic structures and the rule of law. There is nothing complicated about the elimination of poverty; countries that enjoy political stability and enforce the law prosper. The problem is that basic elements of good governance are not in place in many countries. Uganda, which I visited some years ago, provides an interesting example in that regard. For 10 years Uganda enjoyed political stability and had a legal system that was generally regarded as free and fair. During that period the country was able to deliver much higher levels of economic growth than could be delivered by many of its neighbouring countries. It is sad that the situation in Uganda has gone into reverse, but the example shows what can be done if the basic structures are in place.

I do not have time to address many of the other issues that I would like to. However, I will comment briefly on poverty at home, which Christine Grahame and other members mentioned. Scotland has the worst life expectancy in the United Kingdom—in some parts of Glasgow, the figure for males is 53.9 years. Those utterly depressing figures are worse than those in many third world countries and they are getting even worse. The big-state approach has failed. Instead, we should create new community groups and aim to build up the voluntary sector through a new compact. That is the way to make poverty history, abroad and at home.

11:25

Ms Sandra White (Glasgow) (SNP): I congratulate the independent group on using its time to debate poverty. As others have done, I pay tribute to the quarter of a million people who marched in Edinburgh last July to highlight the issues of poverty and to show support for the move to eradicate it worldwide. Many of the

people who marched live in poverty in Scotland and I will touch on local as well as international issues. We accept absolutely that there is no comparison between levels of poverty in Scotland and those in Malawi and other areas but, to people who live in deprivation in a country that is as rich in resources as Scotland is, their situation is very real.

It has not yet been mentioned that the real reason for poverty is inequality in the distribution of wealth. Once we sort that out, I hope that we will start to eradicate poverty, not only in Scotland, but worldwide. It angers and saddens me that, as members have mentioned, my city of Glasgow has within its boundaries 17 of the poorest areas in Scotland, including the 10 most deprived areas. In Glasgow, 41 per cent of households live in poverty. Glasgow has three quarters of Scotland's poorest areas and one third of Scotland's worst council wards.

Murdo Fraser mentioned life expectancy. Scotland's average male life expectancy is 64 years, which is lower than that in Bosnia, Lebanon, the Gaza strip, Iran and North Korea. I make that point particularly for Des McNulty and Helen Eadie. Labour has been in control in their areas and in Glasgow for decades. I ask the Labour members what they plan to do about the terrible figures that I have just mentioned. They cannot pat themselves on the back for their efforts to get rid of poverty in Glasgow and the rest of Scotland.

I turn to the bigger issue of world poverty and the make poverty history campaign. I sincerely thank and pay tribute to Jubilee Scotland and the trade justice movement for their continuing work to ensure that the issue is kept on the agenda of all Governments, particularly ours. The issue is not only for Westminster; as has been mentioned, we can do a lot in Scotland. Jamie Stone mentioned the money that we have spent but, as Linda Fabiani said, the Basque Country and Catalonia give money directly to tackle world poverty, so the Scottish Parliament could do more.

As various members have mentioned, debt relief, increased aid and trade justice must be paramount. As Patrick Harvie said, Governments have choices, but, unfortunately, people in the poorer countries simply do not. It is not acceptable that countries that have been brought to their knees by poverty are even more disadvantaged as a result of the strict criteria that developed countries have put in place. Dennis Canavan mentioned some of those countries—the UK, the other EU countries and America are among them. Many members have mentioned trade justice, although perhaps we should rename it trade injustice. I concur with all the comments that members have made on the issue. How can it be

right that rich countries such as ours, and America and the EU, use subsidies to dump their products on poor countries and so stifle those countries' economic growth? Countries end up in a cycle of never-ending debt and borrowing, which leads to the collapse of their economies.

All too often, western Governments blame the people and Governments in poor countries. As Linda Fabiani said, we must examine certain Governments, but not all Governments of poor countries are corrupt. We could say that some of the actions of our Government are corrupt, too. We must stop the spiral that is created when western countries set strict criteria on trade and debt relief. Rich nations have a duty to ensure that justice is delivered in poorer countries. We should continue our campaign, collectively and individually, to ensure that we bring justice and make poverty history.

11:30

The Minister for Communities (Malcolm Chisholm): As Helen Eadie said, addressing poverty at home and abroad must be central to the *raison d'être* of every politician. Today's debate has touched on international and domestic issues. To start with the former, I am delighted to have the opportunity to pay tribute to the make poverty history campaign, particularly the Scottish organisations that play a leading role in the global fight against world poverty. The Scottish Executive strongly supports the aims of the make poverty history coalition. The Minister for Tourism, Culture and Sport, who has responsibility for the matter, recently met representatives of the coalition and committed to continue to do so regularly.

Every fair-minded person would agree that the UK Government demonstrated leadership during the G8 summit and worked hard to deliver significant steps towards debt cancellation and more and better aid. However, as Dennis Canavan emphasised in his excellent and passionate speech, there is clearly a great deal more to do. Continued pressure is needed to ensure that the promises that were made during the summit are delivered and that much more is done, particularly on trade, an issue that Des McNulty emphasised.

The Executive believes that, to make poverty history, everyone must play a part in achieving the millennium development goals. As has been mentioned, through our international development policy, we are committed to supporting international development. The first round of awards from our international development fund was announced last November. Almost £5 million over three years will benefit 34 projects that are based in Ghana, Zimbabwe, Zambia, Tanzania, Sudan, Malawi and Sri Lanka. The application period for the second round of funding closed last

month. Again, the response was overwhelming. Within our broad sub-Saharan Africa priority, there is, as members know, a particular focus on Malawi. In that context, the focus is on education, which Linda Fabiani emphasised, health, which Nanette Milne emphasised, civic government and sustainable economic development.

Christine Grahame and Mary Scanlon emphasised the crucial role of women. As Patrick Harvie reminded us, the status of women in society is connected strongly to the level of poverty and is important in development matters. That is why our international development fund gives additional weight to projects that promote women's equality and empowerment.

Mr Mark Ruskell (Mid Scotland and Fife) (Green): The debate has focused on fair trade. How will the Executive's international development fund support fair trade by supporting the capacity of producers in developing countries such as Malawi to access markets and the demand in Scotland that arises through public procurement?

Malcolm Chisholm: As I said, the fund has a focus on sustainable economic development. However, we all accept that the international trade talks are crucial. We certainly need to press for a great deal more progress in opening up markets to the poorest countries.

On domestic issues, John Swinburne highlighted the definitions of poverty. The international definitions that we use rightly focus on relative poverty, so that the threshold becomes higher as wages rise. It is right that I remind members of the figures that came out last week on child and pensioner poverty. Compared to 1998, in 2004, 100,000 fewer children lived in relative low-income households—100,000 children have been lifted out of poverty and prevented from being held back through lack of opportunity. The 2004 figure is a reduction of 34 per cent from the starting point and it exceeds significantly our first-quarter target towards our goal of eradicating child poverty by 2020.

The final point that I have time to mention is pensioner poverty, which has featured strongly in the debate. Clearly, more work needs to be done, but we should recognise that, according to last week's figures, compared to 1997, 120,000 fewer pensioners are in relative low-income households and, since then, more than three-quarters of those who were in absolute poverty have been lifted out of it. Through the pension credit and initiatives such as free central heating, free personal care and free bus travel throughout Scotland, we are maximising Scottish pensioners' disposable income. It is regrettable that Christine Grahame did not recognise that and that she launched an attack on the strategy for older people, which will astonish older people's organisations. That

strategy clearly focuses on much broader issues and is crucial to Scotland's future.

My time is up. I congratulate Dennis Canavan and the independents on securing such a good and important debate.

11:35

Mr Brian Monteith (Mid Scotland and Fife) (Ind): I sum up the debate as a member of the independent group. Being a member of that group means being independent not only of parties but of each other, so I am sure that Dennis Canavan will understand if I do not entirely agree with his passionate speech. Not agreeing with the opening speaker for my group is something that I am used to.

The debate has been wide ranging, but I want to focus on international aid, debt and trade. It is important to distinguish between disaster relief and economic aid, which have different purposes. It is entirely understandable and commendable that people—individuals in particular—should put their hands in their pockets and make vast donations to help people to tackle natural disasters, but that is different from economic aid, which members have discussed. I am referring to aid that is given from one state to another, or Government-to-Government aid.

I recommend to members the work of the economist, Professor Peter Bauer, who studied the effects of economic aid and found that

“Aid is the process by which the poor in rich countries subsidise the rich in poor countries.”

He found that, in general, intergovernmental aid is pernicious and damaging and does not help the poor in poor countries—in fact, such aid is often the reason why tyrants, bullies and autocrats stay in power. I argue that politicians who advocate giving greater and greater economic aid are as addicted to the guilt release that it provides them, as the many tyrants who receive such aid are dependent on it. Advocating greater and greater economic aid makes politicians feel good, although more difficult reforms need to be tackled. The profits from tobacco, maize or lignite—which used to be ample in his country—do not keep Mugabe in power; it is the economic aid from Libya and China that ensures that he can maintain his grip.

Members have rightly referred to debt. Aid is often tied to debt, which can ensure that democratic Governments that replace tyrants are trapped in the past regime's debts.

Dennis Canavan: Does the member agree that if there is a tyrannical regime in a country that receives aid, the best way of dealing with matters is not necessarily to stop all the aid, but to ensure

that it is channelled through non-governmental organisations rather than through the Government?

Mr Monteith: I happily accept that that is a preferred route, but the point that I am making is that intergovernmental aid is normally beyond the democratic accountability that we would like there to be.

Tommy Sheridan: Will Brian Monteith therefore congratulate the socialist Republic of Cuba, which has not received a single penny in aid from any country for 47 years, but has eradicated poverty and delivered fantastic health and education systems?

Mr Monteith: That is a fallacious point because Cuba received aid from Moscow. As the member knows, I am in favour of ending the trade embargo on Cuba because trade would bring liberty to people in Cuba.

I must move on. Trade is crucial to the future of the poorest countries. Members have mentioned that the European Union is the greatest obstacle to improving trade conditions for the poor of Africa. Murdo Fraser referred to the fact that the European Union erects tariff barriers to protect European sugar beet farmers. The European Union dumps surplus crops, which have sometimes been subsidised—I refer to Italian tomatoes, for example—in Africa, which ruins local markets through which poor farmers are trying to improve their lot without aid. The European Union's tariffs and export subsidies also ensure that the United States of America does not liberalise its trade. Europe could take the lead. Tariffs and dumping are only two examples. In the summer, I was at a conference at which a Kenyan delegate said, “Give us justice, not generosity.” He wanted access to markets.

There are two options. We can abolish—not reform—the common agricultural policy; if we cannot do so, we can leave the European Union and trade freely with the world's poor. The obscenity of trade injustice cannot continue. Free trade is fair trade. At the moment, we have neither.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:40

Children's Health Services (Glasgow)

1. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive when it expects to make available Professor Andrew Calder's independent report into children's health services in Glasgow. (S2O-09310)

The Minister for Health and Community Care (Mr Andy Kerr): The member will probably be aware that, following consideration, I announced my response to the Calder report on Tuesday 14 March. I have accepted the report's recommendation that the Southern general hospital is the most appropriate site for the new children's hospital and have asked NHS Greater Glasgow to start detailed planning for delivery of the triple co-location of maternity, children's and adult clinical services. That planning will include public consultation on moving children's services from Yorkhill to the Southern general hospital site. I have also asked the board to review the group's proposals on how best to integrate specialist maternity and paediatric services. In addition, the board must be able to demonstrate the impact of the modernising medical careers programme on the provision of maternity services in planning the move from three to two maternity units in Glasgow between 2007 and 2009.

The Calder report can be accessed on the Scottish Executive's website. A copy of it has also been placed in the Scottish Parliament information centre.

Pauline McNeill: I welcome the fact that the Calder group recognised the importance of an integrated service for women, children and babies, although Greater Glasgow NHS Board had not. Naturally, I am disappointed that a location could not be found in the west of the city.

Will the minister meet me so that I can outline my grave concerns to him about the suggestion that the Queen Mother's hospital might close earlier if the new hospital is not ready and to outline my anger at the approach of Greater Glasgow NHS Board, which seems to want to close the hospital prematurely? Finally, will he assure me that he will advise me soon and in detail what facilities will be available for mothers in the west of my constituency?

Mr Kerr: I do not think that Greater Glasgow NHS Board wants to close any hospital prematurely. The issue is fully discussed in the report by Andrew Calder and his group. He has come down clearly in favour of ensuring that maternity services are available as and when changes begin to take place.

All boards in Scotland have a duty and responsibility to ensure that the safety of patients is not endangered in any way as a result of changes. I am more than happy to discuss the member's concerns with her, including any concerns that she has about antenatal and post-natal services, which must continue to be available as locally as possible. I am happy to discuss such matters with Greater Glasgow NHS Board and the member.

Ms Sandra White (Glasgow) (SNP): Professor Calder's report recommends that the Queen Mother's hospital should close before the new hospital opens. It has been said that that will leave a serious situation at Yorkhill, which will be a stand-alone hospital. Professor Calder has also recommended that the maternity unit at the Southern general hospital be gutted. Will the minister clarify whether that means that demolition work will be carried out while services at the Southern general hospital are still operational, or will the Southern general hospital maternity site be closed? That would leave Glasgow with only one maternity hospital—the Princess Royal maternity hospital—for an indefinite period.

Mr Kerr: Describing such a prospect is irresponsible scaremongering. Of course Professor Calder and his team and Greater Glasgow NHS Board would not consider services being delivered in the manner that the member describes. I remind her that the content of the Calder report is well considered. It states:

"The advantage of the current adjacency of the QMH maternity service to the RHSC should be preserved as long as it is appropriate and feasible but ultimately it must be seen as subordinate to critical issues of maternal safety."

I need to listen to such voices, which I have done. There has been work with the community and Greater Glasgow NHS Board on the changes and the member can rest assured that any changes relating to the service will be carried out in a way that does not endanger the safety of patients.

Every day, including today, neonate transport takes place safely and appropriately in our health service throughout Scotland—it happens 1,200 times a year. We should not scare people. We should enable them to understand the changes that are taking place. The goal is to achieve triple co-located maternity, paediatric and adult services in one centre. That will be an ideal model—a gold-plated model of care in Scotland. We should be

proud of that and I look forward to the scheme's fruition.

Tommy Sheridan (Glasgow) (SSP): The minister will be aware that the model that he refers to will involve a super-campus that will rival the size of any hospital in Europe, let alone Scotland. I invite him to solidify the commitment that the Minister for Transport and Telecommunications gave this morning by acknowledging that the current transport links are woefully inadequate and by indicating that he will be involved very soon in developing the necessary arrangements for proper transport networks to and from the hospital.

Mr Kerr: The Calder group questioned NHS Greater Glasgow in great detail on the matter and it found that the board had taken into account the relevant factors in respect of access and transport.

The Southern general was not the least accessible of the available sites. When it came to population movements, the Southern general was deemed to be the most accessible of the three available sites. In addition, I am sure that my colleague the Minister for Transport and Telecommunications mentioned this morning that access will be improved around the M8, the Clyde tunnel and Glasgow airport. The Southern general has a helipad, which is used frequently. We will ensure that the whole planning process deals with transport matters.

I repeat that the Calder group went through the matter with NHS Greater Glasgow and found that consideration had been given to the transport issues. Working with Strathclyde Passenger Transport, it deemed that the Southern general was the best site for access.

Antisocial Behaviour

2. Mike Pringle (Edinburgh South) (LD): To ask the Scottish Executive what action it is taking to tackle the causes of antisocial behaviour. (S2O-09324)

The Deputy Minister for Justice (Hugh Henry): The Scottish Executive is taking action to address both the symptoms and the causes of antisocial behaviour. As well as introducing new legislation and improving antisocial behaviour services, we are continuing our long-term investment to deal with the causes of antisocial behaviour.

Mike Pringle: A recent welcome crackdown on antisocial behaviour in Gracemount, in my constituency, appears to have moved the problem to neighbouring areas. Can the minister assure me that the Executive's aim is to tackle antisocial behaviour at its source rather than to move it from one area to another?

Hugh Henry: As I said, through both legislation and investment, we are trying to address the symptoms and the causes of antisocial behaviour.

What Mike Pringle describes is an operational issue. If there is a rise in antisocial behaviour in a neighbouring area, the relevant agencies should get together to ask how they can use both the investment and the powers available to them to prevent a problem from developing. Ultimately, we must reflect on the need for people throughout our society to face up to their individual responsibility and to address their own behaviour. Parents must show an example to their children and make them aware of what is right and wrong.

Margaret Mitchell (Central Scotland) (Con): Can the minister outline what on-going discussions he has had with voluntary organisations in Lanarkshire, Kilmarnock and elsewhere in central Scotland about the important role that they can play in working with communities to combat antisocial behaviour?

Hugh Henry: That is a matter for local authorities in their area. It is not for ministers to determine what voluntary organisations do in any locality. I recognise the significant contribution that voluntary organisations make to improving the quality of life throughout Scotland. I have visited a number of voluntary organisations in recent years and have been very impressed with what they do to help young offenders, people who have been released from prison and young people. Although I am impressed with that work, the determination of what happens in a local area is a matter for the local funding agencies.

Community Safety Partnerships

3. Mr Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive how it ensures that the funds allocated to community safety partnerships are used effectively and for the purposes for which they were intended. (S2O-09309)

The Deputy Minister for Justice (Hugh Henry): Community safety partnerships have agreed community safety problem-solving plans with the Scottish Executive. Funding for subsequent years will be released subject to satisfactory performance against those plans. We have recruited a national community safety co-ordinator to lead a programme of support and training, to promote best practice and to work with partnerships to improve delivery.

Mr McNeil: I am glad that the minister acknowledges the importance of getting the best possible value from such new investment. Is he aware that Inverclyde community safety partnership obtained in excess of £100,000 from the Executive to buy a mobile closed-circuit

television unit, which has been hidden away for 10 months and will continue to be hidden away because Inverclyde Council will not fund its operation? Does he share my view that that hardly represents best value for the taxpayer and that it short-changes my community? Will he assure me that he and other ministers will investigate the matter?

Hugh Henry: The CCTV van to which Duncan McNeil refers was funded through social inclusion partnership moneys rather than through community safety, but he identifies a real problem. It would be a scandal if any money that the Executive gave to improve safety in the community, under whatever heading, was not used for its intended purposes. I will certainly speak to my colleagues who are responsible for that budget, because we would want some assurances that the money has been used properly. It is unacceptable that a CCTV van should lie in a garage in the way that Duncan McNeil describes. Questions need to be asked of those who are responsible locally and they need to be held to account for any failure on their part.

The Presiding Officer: Marilyn Livingstone is not present to ask question 4 and question 5 has been withdrawn.

Concessionary Fares Scheme (Young People)

6. Kate Maclean (Dundee West) (Lab): To ask the Scottish Executive when it will announce the concessionary fares scheme for young people. (S2O-09302)

The Minister for Transport and Telecommunications (Tavish Scott): We are currently developing detailed proposals to implement the partnership agreement commitment to introduce a national scheme of concessionary travel for young people. I will make an announcement once the proposals are finalised.

Kate Maclean: As the number of students and young people in training in my Dundee West constituency is higher than the average, the introduction of the scheme will be welcome there. Will the minister tell me what measures the Scottish Executive intends to take to encourage young people to take up their concessionary travel entitlement? Unlike elderly people, young people have never expected to have a concessionary travel scheme. Does he share my concern that the take-up might not be as good as that for the scheme for the elderly?

Tavish Scott: Kate Maclean makes a fair point about the publicity and information that would be necessary to make young people aware of the entitlement that they would have under the young persons travel scheme. We are considering a number of methods for doing that. It is also

important to use some of the voluntary organisations that have a particular attachment to young people in that work, but we would be open to any suggestions that colleagues might wish to make on the matter.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The minister will be aware of recent publicity regarding tragic deaths on the A9 north of Inverness. A facet of that tragedy is that a high proportion of those who die are young people, including young drivers. Does the minister agree that, whatever happens with the concessionary fares scheme, it is desperately important that we get over to young people the message that they should get out of their cars and into public transport?

Tavish Scott: One of the benefits that will accrue to public transport from the national concessionary scheme for young people is that it will encourage the kind of shift to which the member refers. There is clear statistical evidence that, tragically, many young people are involved in accidents on our roads in their first year of driving after having passed their tests. The statistics are worse for that age group than for any other in the population. Jamie Stone makes a legitimate point about encouraging young people to use public transport where it is available—although availability is an issue throughout Scotland—rather than use the car.

Tay Road Bridge (Tolls)

7. Iain Smith (North East Fife) (LD): To ask the Scottish Executive whether it will publish the traffic-modelling data for the Tay road bridge that were prepared to inform the tolled bridges review. (S2O-09323)

The Minister for Transport and Telecommunications (Tavish Scott): Yes. Detailed traffic-modelling data gathered as part of phase 2 of the tolled bridges review have been published through the Scottish Executive and transport model for Scotland websites.

Iain Smith: The minister will be aware of the local view that tollbooths on the Tay bridge cause more congestion than would any increase in traffic that the removal of tolls might generate. Will he therefore reconsider his views on the Tay road bridge? In particular, will he reconsider carefully any proposal to spend £8 million on relocating the tollbooths, which are currently at the north end of the bridge, to my constituency? My constituents would consider such a relocation as adding salt to the wound.

Tavish Scott: The Scottish Executive has carried out a lengthy and detailed review of tolled bridges. That review has concluded and there was a statement followed by a fairly lively debate in

Parliament a week or so ago. The construction costs of the Tay road bridge have not yet been recovered. That was the primary reason for the decision not to remove tolls.

Mr John Swinney (North Tayside) (SNP): Does the minister accept that the Scottish Executive's policy on tolled bridges contains an inequity? Will he respond to the call from Mr Smith—one of his back benchers—and the call from the Tay Road Bridge Joint Board? On Monday, the board asked the minister to reconsider his position urgently and to remove the tolls. The tolls are a punitive burden on the people of Tayside and Fife.

Tavish Scott: I do not accept Mr Swinney's argument that a one-size-fits-all policy would be right for the bridges. The review on tolled bridges has been published and he can read the clear reasons behind the decisions that were reached. Different circumstances pertain in different parts of Scotland. I am sure that he is well aware of the statistic that 65 per cent of traffic on the Tay road bridge is local, which suggests that a local determination of the issues is important.

The Presiding Officer: Question 8 has been withdrawn.

Fish Farms (Planning Applications)

9. Eleanor Scott (Highlands and Islands) (Green): To ask the Scottish Executive whether it will introduce legislation that would make legally binding the current voluntary system whereby the Crown Estate accepts the recommendations of the relevant planning authorities in respect of fish farm applications. (S2O-09340)

The Deputy Minister for Environment and Rural Development (Rhona Brankin): The consultation paper "Extending Planning Controls to Marine Fish Farming" was issued in October 2004. We are still finalising the details, but our intention at this stage is to bring, as appropriate, marine fish farming under the control of the statutory planning system by summer 2006.

Eleanor Scott: I thank the minister for her answer and I support the moves in that direction. How will the Executive ensure that the local authorities in question have the relevant expertise to deal with applications?

Rhona Brankin: I acknowledge the importance of ensuring that local authorities have the necessary range of expertise. We are still considering how to ensure that we get that in place by 2006.

Oil Taxation (Economic Impact)

10. Richard Lochhead (North East Scotland) (SNP): To ask the Scottish Executive what its

response is to Scottish Enterprise Grampian's report, "North sea oil taxation: economic impact". (S2O-9267)

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): Responsibility for oil taxation rests with the United Kingdom Government. Currently, there are very high levels of exploration activity in the North sea and, with high oil prices, there is no reason why investment and production should not continue for the foreseeable future.

Richard Lochhead: The minister will appreciate that that fails to answer the question. He may recall that his colleagues said that Gordon Brown's tax grab would have no impact on Scotland, yet the Government's own agency, Scottish Enterprise, says that it could leave an £800 million hole in the Scottish economy. Will the minister explain to Parliament and to the oil industry in north-east Scotland what measures he is calling for from Gordon Brown's forthcoming budget to help to repair some of the damage that will be caused if nothing is done soon, to encourage investment in the industry, and to promote initiatives such as those on carbon capture and storage?

George Lyon: As the member will be aware, before the Chancellor of the Exchequer's statement, the Scottish Executive met representatives from the United Kingdom Offshore Operators Association to discuss their concerns. Indeed, on 24 November, the Deputy First Minister wrote to the Department of Trade and Industry to set out the Executive's concerns.

Mr Lochhead will be aware that the report showed that the impact will depend on the price of oil in the future and that the future level of oil prices will have a much bigger impact on investment than the tax. The report concluded that if oil prices fall below \$40 a barrel, the chancellor's tax increases will have adverse impacts on investment and on the Grampian and Scottish economies. However, we can take some comfort from the fact that oil prices are currently \$61 a barrel.

First Minister's Question Time

12:00

Cabinet (Meetings)

1. Nicola Sturgeon (Glasgow) (SNP): To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-2175)

I congratulate Caitlin McClatchey and David Carry on winning Scotland's first gold medals of the Commonwealth games. Let us hope that those medals are the first of many.

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): I, too, congratulate Caitlin McClatchey and David Carry, particularly as David Carry is a fellow Aberdonian. It was great to see his gold medal swimming success.

The next meeting of the Cabinet will discuss issues of importance to the people of Scotland.

Nicola Sturgeon: Is the Deputy First Minister aware that his Government is refusing to publish some 1,400 documents relating to the Shirley McKie case and that, last week, it threatened to use a public interest immunity certificate to prevent any mention in open court of the report of former deputy chief constable James Mackay, in spite of the fact that the report has been quoted in every newspaper in the land? Given that the Liberals have long championed the principle of freedom of information, is the Deputy First Minister embarrassed by the obsessive and paranoid secrecy surrounding the Shirley McKie case?

Nicol Stephen: It is important to emphasise that the freedom of information requests relating to the documents that are being referred to were responded to by the Lord Advocate, in his role as the head of the prosecution service—a role that is independent of Executive ministers. It is appropriate that there is a strong freedom of information regime in Scotland. The Scottish Parliament has passed the strongest freedom of information legislation in the United Kingdom; indeed, it is stronger than many such regimes around the world. I am sure that the requests will be dealt with appropriately. At the end of the day, the Scottish Information Commissioner will rule on those issues. It would be wrong for ministers to intervene.

Nicola Sturgeon: It seems that that Liberal Democrat principle comes cheap, so let us try another one.

Does the Deputy First Minister recall that, last week, a fingerprint expert in Aberdeen, Gary Dempster, speaking in a personal capacity on the

BBC, voiced his concerns about the Shirley McKie case? He did so in line with the Scottish fingerprint service's manual, which says that

"any member of staff has the freedom to challenge the accuracy of any process employed in the Service."

Does the Deputy First Minister share my concern that Mr Dempster was informed yesterday—in a letter of which I have a copy—that he is to face disciplinary proceedings at the specific request of the director of the Scottish Criminal Record Office, an organisation that is, we are told, reformed beyond reproach and has nothing to hide? The last time I checked, freedom of speech was a core Liberal principle. Will the Deputy First Minister today defend that principle by condemning the outrageous action that is being taken against Gary Dempster simply for speaking his mind?

Nicol Stephen: I was unaware of that matter, which is clearly between the employee and his employer.

I assure Parliament that I accept, of course, that there were significant weaknesses in the fingerprint service, as was identified in the autumn—or, if we take into account the interim report, the summer—of 2000. That means that, six years ago, significant weaknesses were identified by Her Majesty's inspectorate of constabulary. There was a significant inquiry, and three follow-up inspections that examined the weaknesses and recommendations confirmed that action had been taken by the fingerprint service to improve the situation. That ended up, in March 2005, with confirmation that all the recommendations with regard to the weaknesses had been acted on.

A good example is the cropping issue, which has been focused on in recent media comment. Cropping was discontinued in October 2000, one month after the report that contains the recommendations was published.

Further change will be delivered via the Police, Public Order and Criminal Justice (Scotland) Bill, which is being considered by Parliament. By April 2007, the SCRO will become part of the proposed forensic science service, which will in turn become part of the proposed Scottish police services authority, which will have lay representatives as part of its management process. By the autumn of 2006, a new non-numeric standard will be introduced for fingerprinting in Scotland. There could not have been a more significant overhaul of the fingerprint service. We have taken decisive action.

Nicola Sturgeon: Is not the letter to Mr Dempster proof that the Scottish Criminal Record Office is still trying to cover up the truth all these years later? I remind the Deputy First Minister that the SCRO is the responsibility of the Scottish

Executive. If he wants to see the letter, I will be happy to show it to him. Perhaps he will make a more robust defence of freedom of speech later.

Is it not the case that Liberal principles have gone out of the window in this case? I remind the Deputy First Minister that his party has, in the past year alone, demanded public inquiries on contaminated blood supplies in the national health service, on the political decisions that led to the war in Iraq, and on the events at the Deepcut army barracks. Why is it that the Liberals demand openness and transparency on those and other important issues but are prepared to collude in a cover-up in the Shirley McKie case?

Nicol Stephen: Every Government minister, led by the Minister for Justice, has made it clear that they would not only co-operate with a parliamentary inquiry but would actively welcome and support one. The questions that can be and need to be answered in the case can be covered by a parliamentary inquiry. I and a clear majority of members of Parliament see no need for a judicial inquiry.

In commenting on Parliament's committees, Nicola Sturgeon once referred to

"powerful parliamentary committees, which will ensure strong and forensic parliamentary scrutiny of the Executive."

However, only a couple of weeks ago, Alex Neil said:

"the idea that the Shirley McKie case could be investigated by a parliamentary committee is, quite frankly, laughable."—[*Official Report*, 2 March 2006; c 23702.]

That is a disgrace. It undermines Parliament and its committee structure, which is seen as one of Parliament's great successes. I would like to see some consistency from the SNP on the issue.

Nicola Sturgeon: I remind the Deputy First Minister that the Labour convener of the Justice 1 Committee said that a parliamentary inquiry with an in-built Government majority is no substitute for an open and independent public inquiry. I put it to the Deputy First Minister that the Liberals want a cover up in the Shirley McKie case simply because one of the key players is a senior Liberal politician—the former Minister for Justice and Liberal leader, Jim Wallace. Is not it the case that, if the case had arisen south of the border, where the Liberals are in opposition, they would be heading the queue of people who are demanding a public inquiry? Is not it true that the case has revealed the sheer hypocrisy of the Liberal Democrats and has shown that they put private party interest ahead of the public interest?

Nicol Stephen: I strongly believe that the independence of the prosecution service is vital. At other times, the SNP has said exactly that on

the record. Today, however, the Scottish National Party is again attempting to take politics into the prosecution service and to gain political advantage from a situation in which the Executive has taken clear and firm action.

It is important that Cathy Jamieson has appointed assistant chief constable David Mulhern to produce an action plan on the issue and to look at how we intend to introduce the changes to the fingerprint service to which I referred earlier, including the movement of the SCRO into the forensic science service. We have to ensure that, over the next few months, we have the best international standards for our fingerprint service. The Executive is determined to ensure that that is the case. The SNP and other parties, by continuing to focus on the issues, only undermine the service. That is to be deeply regretted.

Prime Minister (Meetings)

2. Miss Annabel Goldie (West of Scotland) (Con): To ask the First Minister when he will next meet the Prime Minister and what issues they will discuss. (S2F-2176)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): The First Minister has no immediate plans to meet the Prime Minister and nor have I.

Miss Goldie: I suspect that there is mutual relief in all quarters.

The Deputy First Minister's responses indicate that the conduct of the Government coalition strikes at the heart of devolved governance. In many ways, it is remarkable that the governing coalition has survived, given the differences over issues such as the single transferable vote system, the Airborne Initiative, reform of the national health service, bridge tolls and the common fisheries policy—and that is a shortened list. Does the Deputy First Minister back his colleague Tom McCabe's handling of the impending local government strike at the end of this month or will he use that as an excuse to finally end the coalition?

Nicol Stephen: One thing that the Conservatives—at least in Scotland—have still to realise is that people like political parties to work together to provide stable government, to work through differences and to deliver effective policies for the people of Scotland. Whether in education, health, housing or planning, the coalition between the Labour Party and the Liberal Democrats in the Executive tries and, on the whole, succeeds in delivering exactly what I described.

Annabel Goldie referred to the difficult pensions issue that affects local authority workers. Tom McCabe has, of course, worked hard with the Convention of Scottish Local Authorities, with local

authorities and with trade unions to try to reach a sensible settlement. We have received legal advice on the issue, which led to the proposal to shift the policy, but Tom McCabe has made it clear that he wants to continue to talk and to seek to reach a sensible settlement. He strongly wishes to avoid industrial action of any kind on that important issue.

Miss Goldie: Worries about the coalition's stability and its ability to deliver stable devolved government are certainly not confined to my party. Only last week in this chamber, Labour's Elaine Murray said that my party's motivation for leading a debate on energy was "to split the coalition." She wondered why we bothered,

"With Nicol Stephen doing such a good job of that".—
[*Official Report*, 9 March 2006; c 23823.]

If the Deputy First Minister will not cut and run over the local government strike, will he back the First Minister if he gives the go-ahead to build replacement nuclear power stations? If not, can the coalition continue when it is split down the middle on an issue of such fundamental importance to Scotland?

Nicol Stephen: I did not hear the final part of Annabel Goldie's question because many members were criticising the line of attack that she sought to develop. The simple answer is that the Executive—the coalition—has a clear policy on nuclear power, which is that we will not approve new nuclear power stations unless the issue of nuclear waste is resolved. That will continue to be the Administration's policy until the Scottish Parliament elections in 2007. It will then be for any party to propose different policies in their manifestos.

The coalition between the Labour Party and the Liberal Democrats has a clear and firm agreement for a four-year working term. Of course there are issues and events that come up to trouble the coalition—that is politics. However, on such major issues as nuclear power, we are absolutely agreed and determined to deliver on our policies right through to May next year. That is what people in Scotland want—a good, sensible and stable Government that is delivered effectively by two parties working together. It will be a long time before the Conservatives understand the sense of that. Despite David Cameron's efforts down at Westminster, we in Scotland see examples of the Conservatives still being divisive and partisan and still consistently and continually losing support in election after election.

Miss Goldie: The words

"there are issues and events that come up to trouble the coalition"

will go down as the all-time best euphemism in the Parliament. Those obvious differences make it

even clearer that the coalition is not a principled agreement that has been made in the country's interests to deliver stable devolved governance, but is instead a shabby marriage of convenience to serve the partners and not the people. Why does not the Deputy First Minister do the decent thing and end the sham now?

Nicol Stephen: We all remember Major's Conservative Government, which no one would rush to call a principled Government. That shambolic Government was deeply divided not between two political parties but within itself. We all remember what John Major called certain back-bench members of his party. Before lecturing on such issues, Annabel Goldie should think hard about the future of the Conservative party in Scotland. In my view, her party is currently on a route to oblivion. Its only way back is for it to be more co-operative and more moderate by moving to the centre ground of politics in Scotland. Far be it from me to give greater advice than that on this occasion, but I see no signs of such a move by the Scottish Tory party.

In summary, people like to see parties working together. No party in Scotland has an overall majority under Parliament's fair system of voting. Therefore, if we are to deliver an effective and stable Government, the sensible, moderate and progressive parties need to work together.

Phil Gallie (South of Scotland) (Con): On a point of order, Presiding Officer. Can Miss Goldie be given the opportunity to ask question 2 again? As Nicol Stephen said when he gave his unsatisfactory answer, she was drowned out by the Liberal members to my left.

The Presiding Officer (Mr George Reid): I will not reply to that. There are a number of constituency questions on job losses. I will take Kate Maclean's question, which concerns the largest of the job losses.

Kate Maclean (Dundee West) (Lab): Is the Deputy First Minister aware that Tesco's announcement that it will relocate its distribution depot from its current location in my constituency of Dundee West will result in the loss of more than 430 jobs? Does he share my grave concern about the effect of the decision—for which no plausible justification has yet been given—on the loyal and skilled workforce, which has helped to turn the site into one of the most efficient depots in Tesco's United Kingdom network? Over the next couple of days, I will meet the trade unions and the company to discuss the matter. What can the Scottish Executive do to assist the situation?

Nicol Stephen: I am concerned about the impact of the job losses on Dundee and I am aware of the matter. I am asking Scottish Enterprise Tayside to take action and to consider

activating our rapid response team for those job losses.

I should emphasise that Tesco is maintaining, and is, indeed, increasing its commitment in Scotland. As well as relocating that large number of jobs from Dundee to Livingston, Tesco is creating 200 extra jobs in Livingston so that the overall impact on the Scottish economy will be positive. However, I fully appreciate that the impact on Dundee will be very negative indeed. Appropriate action should be taken by Scottish Enterprise Tayside and others.

Poverty

3. Colin Fox (Lothians) (SSP): To ask the First Minister what position the eradication of poverty holds on the list of the Scottish Executive's priorities. (S2F-2179)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): We are committed to eradicating child poverty within a generation. We have made good progress in that regard. Since 1999, we have reduced by 80,000 the number of children living in low-income households and we have reduced by 80,000 the number of pensioners living in low-income households. We have also increased employment to its highest levels since quarterly records began.

Colin Fox: Last week, a national statistical report concluded that 240,000 children in Scotland are living in poverty and that the circumstances of the poorest children are worse now than they were in 1999. That evidence is endorsed by End Child Poverty and by Save the Children. I quote:

"The poorest children continue to live without nutritious meals, new shoes, or a winter coat when it is needed. There is absolutely no evidence of a decline in the proportion of children living in severe poverty since 1999."

Is it not an absolute disgrace that, in a rich country like ours, nearly a quarter of a million children endure such deprivations? Is the minister not ashamed of those statistics?

Nicol Stephen: That is more than a statistic; those are young people who are living in difficult circumstances. We are determined to take action to drive those figures down and to improve the lives of children who live in the poorest families.

There is always more that we can do to reduce levels of child poverty, although we are taking strong action. It is important to note that Scotland has significantly exceeded the target of reducing child poverty by a quarter between 1998-99 and 2004-05. So far, we have lifted 100,000 children out of a low-income lifestyle—a reduction of 34 per cent. That is all the more impressive considering the fact that Scotland started with a higher percentage of children living in poverty than the

rest of the United Kingdom: it was 27 per cent back in 1999, compared to the UK figure of 24 per cent. Scotland now matches the UK figure, which is that 19 per cent of children are living in poverty. We are reducing the figure in absolute terms and we have closed the gap.

Colin Fox: Unfortunately, the minister tries, in claiming progress, to spin the story in the same way as the Executive did last week. The newspapers fell for it hook, line and sinker. Is it not the case that, as the report concluded last week, the Executive has failed to make any progress whatever on severe poverty in seven years? Is it not the case that the Deputy First Minister is misleading the public, who see that one candidate in his party's recent leadership race has nine houses, who see the Prime Minister buying a £3 million house, and who see a Labour minister admitting that she cannot remember that she made a £400,000 loan application?

Is it not the case that the Executive parties have opposed every substantial bill that has been designed to end the hideous inequalities that scar Scottish life, and which have proposed free school meals, abolition of the council tax and free prescriptions? Do figures from the Office for National Statistics not chillingly reveal the consequences and record of an Executive that simply does not give a damn about the poor?

Nicol Stephen: When someone loses the argument, what do they do? They start to make personal attacks on their opponent. That is all we have heard from Colin Fox, who did not listen to the first answer that I gave.

We are doing a lot and we have achieved a lot. We have beaten the targets that we set, but we need to do more and we are doing more. We have initiatives such as sure start Scotland, which is working for families. We are funding our child care strategy, offering lone-parent grants and have a wide range of other initiatives that are designed to improve the lives of young children who are living in the most difficult circumstances. We will continue to deliver results while Colin Fox resorts to personal abuse.

Tay Road Bridge (Tolls)

4. Kate Maclean (Dundee West) (Lab): To ask the First Minister what consideration has been given to abolishing tolls on the Tay road bridge. (S2F-2183)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): The future of tolling of the Tay road bridge was considered as part of the tolled bridges review. The outcome of the review was announced by the Minister for Transport and Telecommunications on 1 March.

Kate Maclean: I note the Deputy First Minister's answer. Is he aware that there is huge cross-party, multi-agency and public support for the abolition of tolls on the Tay bridge? Is he aware that a massive 96.9 per cent of respondents to *The Courier's* scrap the tolls campaign voted to scrap the tolls? Given that the report that was referred to in general questions and on which the Minister for Transport and Telecommunications based his decision to retain the tolls seems to depend on information about congestion in Dundee city centre during the morning peak—otherwise known as the period when delays that are caused by toll collection are at their minimum—will the Deputy First Minister agree to instruct the Minister for Transport and Telecommunications to look at the matter again?

Nicol Stephen: As Kate Maclean and others know, as part of phase 2 of the toll bridges review, a full options appraisal exercise was carried out, which included a no-tolls option for the Tay bridge. As the Minister for Transport and Telecommunications made clear earlier, the details of that will be made publicly available and will show the expected impact on congestion that was part of the decision-making process.

I emphasise that the key decision did not relate to congestion or environmental factors, but to the costs of the bridge and the cost of the outstanding debt on the bridge, of which there remains some £13 million that has not been repaid or met. That consideration was also an important factor in the decision on the Erskine bridge.

Shona Robison (Dundee East) (SNP): The cost of moving the tollbooths is going to be many millions of pounds, which could go towards paying off the Tay bridge debt. Does that not undermine the minister's argument? Given the unanimous view of the Tay Road Bridge Joint Board that the tolls should go, how and when will the Deputy First Minister respond to that unanimous view, and when will he instruct his Minister for Transport and Telecommunications to start listening to the views of local people on this matter?

Nicol Stephen: The toll bridges review has just been completed. It was a comprehensive review that analysed all the information and the facts, which have now been made public. The decision was announced on 1 March by the Minister for Transport and Telecommunications.

Decisions about the location of the tollbooths and further decisions about the future maintenance and improvement of the bridge are local matters for the Tay Road Bridge Joint Board, as is appropriate.

Iain Smith (North East Fife) (LD): The Deputy First Minister will be aware that my constituents bear the highest burden from the toll bridge

because 65 per cent of the traffic that uses it is local and most of it goes from north-east Fife into Dundee. Those people feel that they have paid to build the bridge several times over and that much of the debt is to do with the cost of maintaining the bridge rather than the construction cost. Given those facts, will the Scottish Executive keep the situation under review, and when it receives the request from the Tay Road Bridge Joint Board, will it give careful consideration to accepting its recommendation that the bridge tolls be scrapped?

Nicol Stephen: Of course we will give appropriate consideration to any representations that are made to us by the joint board. It is, however, also fair to say that we have considered the sometimes very different issues that are associated with each of the remaining toll bridges in Scotland. Different local circumstances affect the Erskine bridge than affect the Forth and Tay bridges; we came to what we believed were the right decisions, taking into consideration all the circumstances. That is the view of all Scottish ministers.

Crown Office and Procurator Fiscal Service (Performance)

5. Alex Neil (Central Scotland) (SNP): To ask the First Minister whether the Scottish Executive is satisfied with the performance of the Crown Office and Procurator Fiscal Service. (S2F-2178)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): I believe that we can have confidence in the professionalism, dedication and independence of the prosecution service and its staff. The Crown Office and Procurator Fiscal Service has undergone the most extensive modernisation programme in its history and that is continuing, which is driving forward major improvements to the criminal justice system.

Alex Neil: Does the Deputy First Minister realise that recent blunders by the Crown Office are bringing the legal system in Scotland into disrepute? For example, in a recent rape case, the victim was advised that the culprit would serve a minimum of 10 years; actually, he will serve less than five years. Last week, we had the ridiculous spectacle of the Crown Office putting a gagging order on a document that every journalist in Scotland already had, which made it a laughing stock.

This week, in a case in which evidence had not been presented to the defender, we have the ridiculous prospect that the Crown Office might have to drop the whole case. Is it not time the Crown Office got its act together?

Nicol Stephen: If there are instances that require to be investigated, it is appropriate that such investigation takes place quickly and is thorough, and that that is established by the Lord Advocate or the police. That is exactly what has happened in recent cases, as should be the case.

I hear increasingly from Alex Neil and the Scottish National Party a desire to interfere politically with the actions of the Crown Office and the Lord Advocate. Unless Alex Neil can clarify that or explain to me in clear terms that the SNP wants something different to that, I will continue to believe that. Such interference would be quite wrong for Scotland and it would undermine the standing—international and otherwise—of the Lord Advocate and the Crown Office and Procurator Fiscal Service. That is the last thing that I and members of the Executive want to happen.

Commonwealth Games (Scottish Bid)

6. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the First Minister how a successful Scottish bid for the Commonwealth games would benefit young people across Scotland. (S2F-2187)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Nicol Stephen): A key element of a successful Scottish bid for the Commonwealth games will be the benefits that it will bring for young people across Scotland. This will include a legacy of world-class facilities and a top-quality coaching infrastructure throughout Scotland, as well as the inspiration that the Glasgow games would offer to young people in all parts of the country.

Jeremy Purvis: I endorse the Deputy First Minister's congratulations to the Scottish team. Will he also wish the best of luck to the Borders contingent of the team, including Peter Gallagher, manager of the rugby sevens team? Does he agree that, if our young people are to be inspired by our bid, as well as by the Melbourne and Delhi games, all of Scotland must be included in that bid? Will he take a lead from the Melbourne games, for which seven sports venues are more than 50km from the centre and four are more than 100km away? Can he think of a better location for the rugby sevens in Scotland's bid than the game's historic home of Melrose in my constituency?

Nicol Stephen: I offer support to teams from all parts of Scotland. It is important that all Scotland becomes involved in the Glasgow bid. The bid team has an all-Scotland sub-group, which will be chaired by Councillor Graham Garvie, who is from the Borders. The specific purpose of that sub-group is to ensure that the whole country benefits from the games bid. I also emphasise that it is

important that the benefits of the bid are spread across Scotland and to the young people of Scotland well before the games take place in Scotland in 2014. We can start now.

12:31

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Finance and Public Services and Communities

Local Government Pensions (Rule of 85)

1. Carolyn Leckie (Central Scotland) (SSP): To ask the Scottish Executive whether it will support local government workers in protecting their pensions by rescinding its intention to abolish the rule of 85. (S2O-9271)

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): The reason why the rule of 85 must be removed from the local government pension scheme this year is that it is directly discriminatory on age grounds and inconsistent with the European Union directive on equal treatment in employment. However, I am exploring whether there are ways that can be objectively justified of allowing retention of the rule's benefits for existing members of the scheme.

Carolyn Leckie: The deputy minister will be aware of the conflicting legal advice on the rule of 85 and the dodgy dossier that has never been published. I remind him that millions of local government workers will take strike action on 28 March, in the biggest confrontation since 1926. I would like a commitment from him that the Executive will do everything that it can to ensure that local government workers have all their pension rights protected to avoid such a confrontation. It is a pity that the minister himself is not here, because George Lyon has not been a minister for long. Is he aware that if Tom McCabe gets turfed out next year—because he has made so many local government workers angry—his pension, after just eight years' service, will be a grand total of £14,500 a year? Given that the average pension for local government workers is £3,600, and less than that for women, is it justified to force local government workers either to work until they are 65 or to have a third of their pension removed? Will the minister ensure that that does not happen?

George Lyon: On such a serious matter, on which there are genuine concerns throughout the chamber, the member would have been safer sticking to a factual question rather than personal abuse. The Executive is in dialogue with trade unions and is considering options for a solution in Scotland. There is no desire whatever to see local government employees being treated any less

favourably than other employees in the public sector. However, any solution will have to be objectively justified in respect of the European directive and our legal advisers are urgently considering that matter. I would hope that the trade unions would delay any strike action and continue constructive dialogue with us to see whether a solution can be identified.

Mr John Swinney (North Tayside) (SNP): Is the minister aware that the Employment Equality (Age) Regulations 2006 specifically provide that different pension schemes can be offered to employees based on different ages and different lengths of service. That strikes me as the type of exemption that would justify the continuation of the rule of 85. Is the minister aware of that exemption? Is he aware that the exemptions established in the Department of Trade and Industry consultation paper aim to allow pensions schemes to operate largely as they do now after the regulations have come into force? If that is the case, what is the justification for abolishing the rule of 85?

George Lyon: As the member will be aware, the current rule of 85 provides for some members to retire with an unreduced pension before their normal pension age. The factor that decides who can access that benefit is a combination of age and service; hence, if there are two members with exactly the same service, it is solely their age that will determine whether they qualify under the rule. The Executive considers that that is likely to be unjustifiable, in which case the rule will have to be removed as it is incompatible with the directive. That is the difference between the local government scheme and other schemes. I repeat to the chamber that the Executive is in dialogue with the trade unions. We are considering options for a solution in Scotland. As I said before, there is no desire to see local government employees being treated any less favourably than other employees in the public sector.

LGBT People (Prejudice)

2. Patrick Harvie (Glasgow) (Green): To ask the Scottish Executive what action it is taking to challenge any prejudice against lesbian, gay, bisexual and transgender people in Scotland. (S2O-9338)

The Deputy Minister for Communities (Johann Lamont): The Executive's equality strategy commits us to working with Scotland's lesbian, gay, bisexual and transgender communities to ensure that the Executive's policies and practices take account of their needs. We intend to build on the work that we have already undertaken and to establish a forum that will help us to develop an action plan for challenging prejudice.

Patrick Harvie: I commend the Executive for the work that it has undertaken so far. Following the announcement earlier this week that United Kingdom ministers intend to use their powers under the Equality Act 2006 to outlaw discrimination on the ground of sexual orientation in the provision of goods and services, what role does the Executive see for itself in promoting the culture change that will be necessary to ensure that people can access those rights and that enforcement is rarely needed?

Johann Lamont: The Scottish Executive is committed to education and to challenging attitudes, prejudice and discrimination. I am sure that the forum will have a perspective on the measures that we can take in relation to the issues that Patrick Harvie raises. In education, in health and across its whole range of responsibilities, the Executive is committed to taking every opportunity to create a culture in which prejudice and discrimination are unacceptable.

Housing Stock Transfer

3. Brian Adam (Aberdeen North) (SNP): To ask the Scottish Executive whether it will review its policy on capital housing debt write-off for those local authorities whose tenants have rejected wholesale stock transfer in recent ballots and, if so, when it will do so. (S2O-9263)

The Deputy Minister for Communities (Johann Lamont): The Executive will not review its policy on council housing debt write-off.

Brian Adam: I cannot thank the minister for that reply. I am sure that she is aware of the recent rejection of wholesale stock transfer in Edinburgh, but she may not be quite so aware of that in Aberdeen. In a ballot a little while ago, tenants in Aberdeen rejected stock transfer by 19 to one. Does the minister accept that part of council housing debt relates to the discounts and debt associated with sales of council houses and that the remaining tenants must bear the whole burden? Why does the minister think that that is fair? Why does she consider that discriminating against tenants who reject stock transfer is fair when it comes to writing off capital debt, much of which has nothing to do with tenants but instead relates to the policies of successive Governments on the sale of council houses?

Johann Lamont: Her Majesty's Treasury has made it very clear that it will provide the resources to deal with residual local authority housing debt only following a housing stock transfer. It is evident that that policy will not change. The same arrangement applies throughout the United Kingdom. We have discussed and continue to discuss with local authorities that have chosen to retain their stock other opportunities for meeting

the Scottish housing quality standard, through prudential borrowing and working together.

The community ownership strategy recognised that writing off debt would lead to a step change. The aim was not only to release further investment in housing, but to ensure that that investment stuck. We know that at least some of the debt for which tenants were forced to continue paying in places such as Glasgow was down to bad housing investment decisions, some of which were made in part because authorities were not involved closely enough in talks with the people who would live in the houses. That is why I attach such importance to community ownership.

We recognise the challenges that all local authorities face in meeting the housing quality standard and are committed to working with them on that issue.

Registers of Scotland (Head Office Location)

4. Susan Deacon (Edinburgh East and Musselburgh) (Lab): To ask the Scottish Executive which bodies are being consulted and what issues will be considered before it reaches a decision concerning the future location of the head office of Registers of Scotland. (S2O-9292)

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): During the Registers of Scotland relocation review, a full range of stakeholders were consulted, including customers, staff, the Public and Commercial Services Union—PCS—and the local authorities that were shortlisted at the end of stage 1 of the process. The relocation review report considers in detail all the criteria and issues that are specified in Scottish Executive guidance on relocation. That will form the basis of any decision.

Susan Deacon: As the minister is aware, the Registers of Scotland headquarters employs more than 1,000 staff and provides a range of vital services to the public, business and a wide range of agencies. Does he agree that the costs and operational risk of relocation are, therefore, considerable? From where would such costs be met? Will he give a clear assurance that the decision will be based on sound value-for-money criteria and the operational effectiveness and efficiency of this important agency?

George Lyon: I am happy to give the member the assurance that value-for-money considerations will be part of the review process and of the final decision making. The process in which we have been involved has been staged, and the first stage was concluded last year. It covered the whole of Scotland and a wide range of possibilities for the agency's future location.

I am aware of the concerns within the organisation, and we are aware of the concerns among the agency's staff. We are endeavouring to come up with a final decision on the future of this important agency and the good work that it does throughout Scotland.

Alasdair Morgan (South of Scotland) (SNP): Will the minister take this opportunity to reiterate the Executive's determination to spread the benefits of Government employment throughout Scotland? Will he agree that we cannot afford to treat every potential substantial move of employment out of Edinburgh or Glasgow as a special case?

George Lyon: As I made clear in evidence to the Finance Committee, the objective of the Executive's policy remains to spread jobs throughout Scotland. However, we need to examine the process and the review before decisions are taken. We have made good progress in the first stage and I hope that we will be able to come to a view on the matter once the next stage of the review has been completed.

The Presiding Officer (Mr George Reid): Question 5 is from Frances Curran. Let the record show that Frances Curran is not present.

Fife Council (Planning)

6. Mr Ted Brocklebank (Mid Scotland and Fife) (Con): To ask the Scottish Executive when it will next meet Fife Council to discuss planning issues. (S2O-9274)

The Deputy Minister for Communities (Johann Lamont): Officials from the Scottish Executive liaise regularly with officials from Fife Council to discuss planning issues. However, there are no firm arrangements for any meetings in the immediate future.

Mr Brocklebank: Perhaps the minister should be contacting council officials reasonably soon. She might not be aware that, under Fife Council's recently published structure plan, the town of Cupar is facing the imposition of a minimum of 1,500 new houses over the planning period, which represents a population increase of around 38 per cent. Is the minister aware that a proposed new relief road around the town is to be used as bait for developers planning large-scale housing developments that are simply not needed? Does the minister agree that what Fife Council is proposing for Cupar is not so much a planning process as a bargaining process with developers?

Johann Lamont: I am sure that Mr Brocklebank appreciates that it would be totally inappropriate for me to comment on matters covered by the structure plan of Fife Council or any other local authority. The council is charged with the responsibility of delivering a structural plan. As Mr

Brocklebank will be aware, that structure plan will shortly be submitted to the Executive for approval. The process is a rigorous one.

Mr Mark Ruskell (Mid Scotland and Fife) (Green): When the minister gets round to examining Fife Council's structure plan, will she ask the council some difficult questions? Will she ask it to justify the proposed number of houses given the actual population and sustainable housing projections for Fife, rather than accept the number of people whom the council wishes to attract from other local authority areas in order to grow the population artificially, which would result in real strain on Fife's economic, environmental and social infrastructures?

Johann Lamont: I do not "get round" to things; I deal with matters as they reach my desk in a serious and rigorous manner. As I have already indicated, it is not appropriate for me to comment on matters that are dealt with in a structure plan before it is submitted to the Executive for approval. We recognise the role of local authorities and we understand the challenges of developing affordable housing throughout Scotland, which is another area of responsibility. Although I cannot comment on the specifics of the Fife structure plan, the member will know that the Executive takes the process extremely seriously and will follow it with rigour.

Elderly Care (Local Government Funding)

7. Mrs Nanette Milne (North East Scotland) (Con): To ask the Scottish Executive whether local authorities have been allocated sufficient funds under the local government finance settlement to implement the elderly care package commitments. (S2O-9283)

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): We have made substantial provision in the local government finance settlement for services for older people. That includes amounts for free personal and nursing care, for care home fees, for faster access to services and for the increasing number of older people. Total provision for spending by local authorities on community care is £1.6 billion this year, of which about £1 billion is for the care of older people.

Mrs Milne: Given the concerns about funding that many councils have expressed, is the minister confident that local authorities are not delaying assessments for elderly care packages because of a lack of resources? What is he saying to the authorities that have a waiting list of people who have been assessed as requiring a care package but have not yet received it?

George Lyon: It is for local authorities to assess and meet the community care needs of older people, including the provision of free personal care and nursing care where appropriate. However, I am aware that a number of local authorities are operating waiting lists for personal and nursing care. My officials are pursuing that with the councils in question and we will work with them to help them to understand and address their responsibilities for the provision of care and to ensure that older people are able to access the services to which they are entitled.

Significant funds of £153 million have been provided to local authorities to support the policy. From 1 April, that amount will rise to £162 million for 2006-07 and £169 million for 2007-08.

John Swinburne (Central Scotland) (SSCUP): How long will it take to get sufficient ancillary workers to complement the Executive's excellent plan for free home care for the elderly? When will the Executive meet its targets for conscripting or bringing those people into the system?

George Lyon: I was not aware that the Scottish Executive had the power to conscript workers into its services. As I said, it is for local authorities to assess and meet the community care needs of older people, including the provision of care services. I am aware that a number of councils have had difficulties in that area and my officials are engaging with them to try to get to the bottom of that. We intend to continue such dialogue with councils to ensure that every elderly person in Scotland who is entitled to care services receives them.

Shona Robison (Dundee East) (SNP): Last week, Dundee City Council told the Health Committee that, as far as it is concerned, the problem is that it does not have enough money. On the one hand, the minister tells us that he has given the council enough money and, on the other hand, the council tells us that it does not have enough money. In the meantime, my constituents and their families are on waiting lists for free personal care. What will the minister do to resolve that?

George Lyon: As I said, we have made substantial moneys available to local government for the delivery of care services. In 2004, when the spending review was completed, the Convention of Scottish Local Authorities agreed with us that we had met fully the costs of the services over the spending review period. That is why we are now engaging with councils to ascertain why the position has changed.

Public Housing Stock (Micro-renewables)

8. Dr Sylvia Jackson (Stirling) (Lab): To ask the Scottish Executive what steps will be taken to

ensure that micro-renewables are introduced into the public housing stock to reduce fuel bills and benefit the environment. (S2O-9299)

The Deputy Minister for Communities (Johann Lamont): The Scottish community and householder renewables initiative, established in 2002, promotes the development of new community and household renewable energy projects in Scotland and has supported a number of community housing projects.

In addition, the Executive is developing a pilot study to explore what role renewables technologies can play in keeping down fuel costs with a view to including those technologies in the central heating programme.

Dr Jackson: The recent successful climate change and renewable energy seminar in Stirling shows that there is considerable interest in micro-renewables. Is the minister considering further pilots in this area? Is it possible to meet her to discuss how to maximise the take-up of micro-renewables not only in local authority and community ownership housing but in private housing and in future as well as existing developments?

Johann Lamont: Yes. We are producing a planning advice note on micro-renewables, which is to be published in April. An interim review of the Scottish community and householder renewables initiative will consider how it can be taken forward. We will ensure that our energy-efficiency strategy is fully informed by that work.

Education and interest must be built on at an individual level to let people know the kinds of things that they can do, but we must also consider constantly how we can make a difference in our range of responsibilities. I will be particularly interested to discuss with Dr Jackson the role that she sees for Communities Scotland and others in driving micro-renewables into public and social housing. I am more than happy to meet her to discuss that.

Affordable Rented Housing

9. Mr John Home Robertson (East Lothian) (Lab): To ask the Scottish Executive whether it has any plans to increase the supply of affordable land for affordable rented housing. (S2O-9298)

The Deputy Minister for Communities (Johann Lamont): The proposals in the current Planning etc (Scotland) Bill will revitalise development planning in Scotland, and the new planning advice note on affordable housing that we published last year is beginning to have an impact. To build on that, the Minister for Communities intends to chair a joint housing and planning forum to establish what more can be done at local level to improve delivery in the areas

of greatest need. The Minister for Communities has also commissioned a short research project to evaluate the strengths and weaknesses of the various options, including a separate use class for affordable housing.

John Home Robertson: I am grateful for that positive reply. The minister understands the desperate situation in several local authority areas, including East Lothian, where the urgent need for affordable rented housing is far greater than the supply of council and housing association housing. Perhaps if certain Scottish Executive officials were to sit in on one of my surgeries, they might have a better understanding of just how serious the situation is for many families in our constituencies.

Do I take it from the minister's reply that the Executive will take the opportunity offered by the Planning etc (Scotland) Bill to amend the law to earmark land on which to build more affordable housing in areas such as East Lothian?

Johann Lamont: If I were not aware of the challenging issues around affordable housing in East Lothian, it would be because I have not been listening to John Home Robertson lately—he has been more than persistent in pursuing those matters. We recognise the different housing challenges in areas such as the one that the member represents and in others throughout Scotland.

I am confident not just that the current planning system and planning advice note allow for affordable housing to be identified, but that the matter will be further explored through the Planning etc (Scotland) Bill. The bill provides greater opportunities to acknowledge the challenge of meeting the housing needs of those who want affordable housing but do not currently have it. I am sure that as the bill progresses, the matter will be illuminated further.

Education and Young People, Tourism, Culture and Sport

Schools (Health Promotion)

1. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Executive what action is being taken in schools to support health promotion. (S2O-09318)

The Minister for Education and Young People (Peter Peacock): A great deal of action is being taken by the Executive to support health promotion in schools. The concept is embedded in our health promoting schools programme with all schools set to be health promoting by 2007.

Elaine Smith: Given that this is national obesity awareness week and that the Executive will soon publish its infant feeding strategy for Scotland, is

the minister aware of any plans to raise awareness among children of school age of breastfeeding as a healthy lifestyle choice that protects against obesity? Is he aware of best practice in my constituency, where the healthy lifestyle project has successfully piloted a curriculum-based initiative in Rosehall high school that has shown positive results?

Peter Peacock: I am not aware of Elaine Smith's specific point about the approach to educating young people in schools about breastfeeding, but I will look into it and send her a reply. We seek to put her more general points right at the heart of our curriculum in trying to encourage young people to think about their health and well-being—we are encouraging schools to think much more effectively about that than they have done in the past. The curriculum review exercise that is under way will ensure that all health-related matters are embedded in our curriculum into the future.

School Sport (Out-of-hours Provision)

2. Karen Gillon (Clydesdale) (Lab): To ask the Scottish Executive what steps it is taking to monitor and review the provision of out-of-hours school sport. (S2O-9294)

The Deputy Minister for Education and Young People (Robert Brown): The Scottish Executive does not monitor or review out-of-hours school sport specifically. It is for local authorities and schools to decide on what out-of-hours school sports opportunities to offer. However, the Executive strongly supports increased out-of-hours provision of all kinds, including sports. Through the national priorities action fund £12 million has been made available to local authorities to deliver out-of-hours learning opportunities. That is on top of other funding streams and the work of active schools co-ordinators.

Karen Gillon: There is genuine concern in the sporting community that the money is not finding its way to deliver out-of-hours school sport. The minister will be aware that I wrote to his colleague, the Minister for Education and Young People, on that matter. However, I was disappointed that the response came from the Minister for Tourism, Culture and Sport. There is a lack of joined-up thinking in the Executive between the departments with responsibility for education and for sport, particularly in relation to out-of-hours sport and physical education. I would be grateful to know whether the deputy minister would at least be prepared to attend the meeting that has been offered by the Minister for Tourism, Culture and Sport so that we can begin to have that joined-up thinking between the two departments.

Robert Brown: I know that Karen Gillon's long interest in this issue goes back to her days as convener of the Education, Culture and Sport Committee and I am well aware of her exchange of correspondence with ministers on the matter. However, the meeting with the Minister for Tourism, Culture and Sport that she referred to has yet to be set up, as the minister has not returned from Melbourne. I am happy to be involved—or, indeed, for my colleague to be involved—in that meeting on behalf of the Education Department, because I accept entirely that the issue cuts across several departmental boundaries.

We must also acknowledge that in order to take things forward we need a number of different drivers, including public sector drivers, funding sources, and sustainable arrangements and links with local sports clubs. I agree that the issue raises many questions on which we need to take a comprehensive and corporate view.

Tourism (Highlands and Islands)

3. Mr Jamie McGrigor (Highlands and Islands) (Con): To ask the Scottish Executive what discussions it is holding with tourism stakeholder groups in the Highlands and Islands on the future of the industry. (S2O-09278)

The Minister for Education and Young People (Peter Peacock): The Executive and VisitScotland regularly talk to stakeholder groups in the area to discuss ways of growing tourism revenues in the Highlands and Islands.

Mr McGrigor: The minister might be aware that Golf Scotland has been charged with reviewing regional golf. However, is he also aware of concerns in the Highlands and Islands tourism industry that funding is being awarded only to new tourism initiatives, often at the expense of long-established, successful and tried-and-trusted projects such as Golf Highland? That organisation, which represents many smaller courses in the region, is apparently unable to apply for funding and is therefore forced to rely on its membership. Will the minister examine the situation and ensure that Golf Highland and other such well-established groups are not penalised by their success?

Peter Peacock: I will look into the matter and discuss Mr McGrigor's point with Patricia Ferguson when she gets back from Melbourne. We are right to promote golf as a major plank of our tourism strategy. Of course, the Highlands and Islands in particular has some of the finest golf courses that can be found anywhere in the world. I know that in my own town of Nairn—which has two superb golf courses that people are most welcome to play on—many organisations and tourism businesses have put serious effort into using the excellence of the quality of golf in the

area as a means of promoting the area itself. I am sure that that approach, which has brought many benefits, will go from strength to strength and bring many benefits in future.

Child Protection

4. Fiona Hyslop (Lothians) (SNP): To ask the Scottish Executive whether it has implemented all 17 recommendations in the child protection report, "It's everyone's job to make sure I'm alright", published in November 2002. (S2O-09320)

The Deputy Minister for Education and Young People (Robert Brown): The three-year child protection reform programme was established to take forward the issues raised in "It's everyone's job to make sure I'm alright" and other relevant work. Of the 11 recommendations for the Scottish Executive, six have been achieved and five are in progress.

Fiona Hyslop: The minister will be aware that the deadline for implementing those recommendations was November 2005, which has passed. When the First Minister says that everyone involved in child protection has a responsibility to fulfil their duties, does he include himself and the Scottish Executive? The Executive is seeking later this year to introduce laws that will penalise child protection workers who do not share information. When will it implement the child protection report's recommendation that there be a national scheme to allow professionals in different areas to assess and share information?

Robert Brown: I know that, like all members in the chamber, Fiona Hyslop is concerned about these complex issues. However, this issue is less about ticking boxes than about carrying out effective work to make things better in this difficult area.

Fiona Hyslop and all other members are aware that we needed to pass the recent Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Bill to make progress on joint inspections, which will now be carried out this year. Indeed, eight or nine will have started by the end of this year, which will make a considerable difference to our progress.

In the later part of the year we will also take forward the provisions of the Safeguarding Vulnerable Groups Bill—known as the Bichard bill—which includes further measures on sharing information. In previous parliamentary debates we have spoken about the duty that should be imposed on professionals in that respect.

School Leavers (Qualifications)

5. Shona Robison (Dundee East) (SNP): To ask the Scottish Executive what progress has been made towards reducing the number of young

people in Dundee leaving school without any qualifications. (S2O-09266)

The Minister for Education and Young People (Peter Peacock): In common with all local authorities, Dundee City Council is implementing a range of changes to practice that are designed to improve the performance of those who are performing least well in our schools. More widely, curriculum changes that are under way will impact on that group, in particular by opening up new academic and vocational options.

Shona Robison: Does the minister share my concern about the latest available figures, which show that the proportion of children in Dundee who leave school with no qualifications is well above the national average? Nearly one child in 10 leaves school without a single standard grade to their name, which is more than twice the national average. Is it likely that the figures that are due to be published next month will show any improvement? What else does the minister intend to do to turn around a situation that is failing too many young people in my constituency?

Peter Peacock: I cannot comment on unpublished figures to which I have not yet had access, but I share the member's concern that in Dundee, as in some other communities, the proportion of young people who leave school without qualifications is significantly above the national average. As Shona Robison mentioned, the rate in Dundee is twice the national average, although it has noticeably improved since 2001, when it was even higher.

As Shona Robison will be aware, there is a strong association between levels of deprivation and poor attainment. Although Dundee has yet to overcome its legacy of deprivation problems, Dundee City Council is aware of the problems and it knows that it must improve performance. Among other things, Dundee will join our skills for work pilot later this year, with the aim of opening up new options for young people who do not get out of schooling the benefits that they ought to receive. That will add to Dundee's own offering for vocational options, which was commended by Her Majesty's Inspectorate of Education. In addition, one Dundee school—Braeview academy—is currently on the schools of ambition programme and, under the determined to succeed programme, the council is involved in a range of initiatives to try to engage young people much more effectively in their learning. Those are just some of the measures that the city council is taking.

With the introduction of the new curriculum changes and the coming into force of the Education (Additional Support for Learning) (Scotland) Act 2004, we look forward to an improvement in the performance of Dundee City Council and similar councils throughout Scotland.

Probationary Teachers

6. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive how many probationary teachers are expected to enter employment in schools this year. (S2O-09319)

The Minister for Education and Young People (Peter Peacock): Based on current student numbers, we expect around 3,500 newly qualified teachers to join the teacher induction scheme in August. That is an increase of 800 over last year's probationer numbers.

Karen Whitefield: I hope that the minister recalls his recent visit to Alexandra primary school, where he met probationary teachers and their mentors. Does he agree that the teacher induction scheme for probationers has provided positive benefits to many schools, including Alexandra primary school, despite its need for a new building? Does he further agree that the scheme is contributing to improving the quality of teaching in Scotland?

Peter Peacock: I recall my visit to the school. The point was made to me then, and has been made to me umpteen times since, about the school's need for physical upgrading. I assure the Parliament that the local member has been assiduous in pursuing that point with me and colleagues.

On the wider issue, I remember meeting those and other probationary teachers, whom I spent a lot of time meeting last autumn. Without a doubt, the induction into the profession that probationary teachers in Scotland receive upon achieving their university qualifications leads the world. People from around the world now come to find out how our induction scheme works.

The probation period is now much more structured than it was at any point in the past. Probationary teachers are not given a full-time commitment in the classroom but are allowed time out. They receive proper mentoring support in the school to help them to develop their practice in the early months of that first important year, as they move into becoming a fully fledged teacher.

The induction scheme is bringing huge benefits to our education system and we have learned a great deal from it. We should be proud of the quality of new teachers who are coming through the system. The message that I am receiving universally from head teachers is that the standard is better now than was ever the case in the past.

Swimming Baths (Free Access)

7. John Swinburne (Central Scotland) (SSCUP): To ask the Scottish Executive what steps it is taking to introduce free access to swimming baths for children and senior citizens in the central region. (S2O-09275)

The Deputy Minister for Education and Young People (Robert Brown): It is for individual local authorities to determine whether to charge for entry to their swimming pools. However, it is open to authorities to offer children and senior citizens free swimming under the Scottish Executive's quality of life fund and the community regeneration fund.

John Swinburne: What does the minister intend to do to get rid of the postcode lottery whereby people in South Lanarkshire get free access to bathing facilities, whereas the cost of a season ticket for a pensioner in North Lanarkshire rose by 50 per cent in the past year?

Robert Brown: I make the point again that that is a matter for local authorities. It is the essence of local democracy that there will be different provision in different parts of the country, which is as it should be. Having said that, although the cost of entry is important, it is not the sole issue—issues about supporting clubs, community involvement and the comradeship of sport come into it as well. It is important that an holistic view is taken about these things, as all the research suggests that simply dealing with access costs does not produce a sustained increase in the number of people who use a facility.

Mr Jamie McGrigor (Highlands and Islands) (Con): In the Highlands and Islands there are many areas, such as the Black Isle, where access to swimming pools is limited. In the light of population increases in those areas, what is the minister doing to remedy that situation?

Robert Brown: I can only repeat that it is a matter for local authorities in their own areas. They are given substantial funding of one sort or another to support swimming pool facilities and access to them. I have in front of me a substantial list of facilities—which includes projects in the Highlands—that have been built or renovated over recent years, totalling around £50 million of investment. A good deal is being done throughout Scotland to support those important facilities.

Schools (Army Recruitment)

8. Rosie Kane (Glasgow) (SSP): To ask the Scottish Executive whether it has any plans to prevent Army recruitment officers from entering schools. (S2O-09281)

The Minister for Education and Young People (Peter Peacock): Army careers advisers usually attend careers fairs at the invitation of local authorities. We have no plans to change that.

Rosie Kane: They also speak to children who are on education initiatives. Is the minister not concerned that many of the young people who are targeted by Army recruitment are vulnerable? The offer of three meals a day, a roof over their head

and training is attractive, but it does not do what it says on the label, and they often find themselves in the front line in Iraq or Afghanistan when they should be in college, at work or in training. Is the minister aware that many of those young people come from the poorer backgrounds that he talked about earlier, and that they are disadvantaged in many ways, as Gordon Gentle was? Does the minister share my concern that those young people are, basically, economic conscripts and that schools and education initiatives should not be used for recruitment to the armed forces?

Peter Peacock: Joining the Army is a legitimate choice, among a range of careers, for any young person in our society. I believe that Army careers officers behave in a professional way in conducting their activities. They fit within a wide range of careers that are opened up for young people. Young people are then quite legitimately given the opportunity to make choices. We need good entrants into the Army as we need good entrants into other professions. Young people who enter the Army benefit from good training. They are aware of the dangers of the job—they are pointed out to them as part of the recruitment process—and, generally speaking, they make the decision with their families. We have no plans to change what is currently happening. It is successful.

sportscotland (Headquarters)

9. Mr Frank McAveety (Glasgow Shettleston) (Lab): To ask the Scottish Executive when it will make a decision on the location of the headquarters of sportscotland. (S2O-09306)

The Minister for Education and Young People (Peter Peacock): A number of issues affecting the future location of sportscotland's headquarters are still under active consideration. An announcement will be made once that is complete.

Mr McAveety: I welcome the minister's comments about active consideration, as it has been two years since active consideration was given to the issue. I recognise that a decision may be imminent—I hope that it is imminent—but does the minister acknowledge that it would be unacceptable to locate our national sports headquarters anywhere other than in the east end of Glasgow, where the new national arena will be, because that would let down not just the city of Glasgow but Glasgow's Commonwealth games bid on behalf of Scotland? Does he agree that the comments that were made by the chairperson of sportscotland about the impact on staff of any relocation weaken the Commonwealth games bid and are unfair to staff in this sensitive situation?

Peter Peacock: As members will know, Frank McAveety is a strong advocate for his city. He has written to Patricia Ferguson about this matter and

he spoke to me about it as I walked with him down the Royal Mile after this morning's question time—in fact, he spoke about nothing else as we walked the length of the Royal Mile. He has made his points very clearly.

Ministers understand the benefits of Glasgow, but because a range of considerations will have to be addressed, it would be wrong of me to make a pronouncement. However, notwithstanding the decision of ministers—Frank McAveety should not read anything into what I am about to say—Glasgow's bid for the Commonwealth games should and does stand strong, whether the decision is made in its favour or not. I know that Frank McAveety will be a strong supporter of whatever decision the Executive arrives at.

European Commission Green Papers (Divorce and Succession and Wills)

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-4088, in the name of Pauline McNeill, on behalf of the Justice 1 Committee, on European Commission green papers on applicable law in divorce and succession and wills.

14:55

Pauline McNeill (Glasgow Kelvin) (Lab): I am grateful to the Parliamentary Bureau for allowing the Justice 1 Committee this slot to discuss our report on what we regard as very important European issues.

I have received some glazed looks in the past few days when I tried to explain what the debate was to be about—it is quite hard to make applicable law and jurisdiction in divorce matters sound interesting. It might not be a priority for Parliament, but the decisions that are taken now and in the future in Europe will affect the daily lives of our constituents when they come to use this branch of civil law, and it will have implications for the Scottish legal system, which we know and, perhaps, love.

The green paper on applicable law and jurisdiction in divorce matters is essentially about private international law, which consists of rules that enable the court of any country to determine three main issues: jurisdiction or authority to hear and decide a case; applicable law, or the law that applies, which is also known as the conflict of laws; and recognition and enforcement, or the extent to which a judgment of a court in another country can be enforced. The green paper identifies problems that might arise for couples who wish to divorce and who are of different nationalities or who live in a member state of which they are not nationals.

The Commission considered that the jurisdiction rules that are contained in the new Brussels 2 regulation, which allow spouses to choose between several grounds of jurisdiction, can cause difficulties because the applicable law is determined by the national conflict-of-law rules, which differ considerably between member states. What does all that mean?

I will give some examples that might illustrate what I am getting at. A Portuguese man and an Italian woman marry. They live in Italy. The husband returns to Portugal for work reasons and, after two years, decides to divorce. The couple may apply for divorce in Italy or in Portugal. Under the Brussels 2 regulation, the following can

happen: because the couple are different nationalities, the Italian courts would apply the law in the country where the marriage had been principally based, but the Portuguese court would apply the law of the spouses' habitual residence differently, and failing that, it would apply the law with which the couple had the closest connection. The argument is that couples find it hard to predict the law that will be applicable in their situation.

Another more alarming example was given to us by the Commission. A couple have been married for 23 years and they live in Malta. The husband goes off to Finland for the purposes of his job, meets someone else and decides to divorce his wife in Finland where the law does not require a prolonged period of separation. His wife, who still lives in Malta, does not know that he has started divorce proceedings.

Scotland currently applies the principle of *lex fori*; it sounds like a name-calling exercise, but it means "the law of the forum". It applies that principle to all divorces. Evidence received from lawyers and the judiciary in this country is that it works satisfactorily.

Witnesses who came before the Justice 1 Committee suggested that if harmonised conflict-of-law rules were introduced in all member states, at least two laws, other than that of the forum, might be identified, which could lead to uncertainty for the litigants. The green paper would open up jurisdiction shopping, which would be a disaster. Couples would shop around the European Union to decide which legal system favours their circumstances. Scottish courts would face the prospect of being required to apply foreign law in divorce cases that were being heard in Scotland—a requirement to which they are not presently accustomed.

Witnesses considered that the added complexity of such cases would inevitably lead to delays and increased costs for the parties involved. The Commission cites arguments in favour of the change, including lack of certainty, difficulties for couples of different nationalities who may live in a third state, and the tendency of couples to rush to court in the country that offers them the best deal. I invited members of the Justice 1 Committee to tell the Commission whether any of the problems that are highlighted in the divorce green paper had ever arisen in their casework. Apart from Stewart Stevenson, who is known for always having extraordinary cases in his constituency, no member could tell the Commission that he or she had ever, in six years as an elected member, experienced such a complaint. One wonders where all the arguments are coming from. The committee received evidence from several witnesses, including the family law sub-committee

of the Law Society of Scotland—its view was the same.

That evidence, combined with a lack of statistical evidence, means that the Commission cannot back up the claim that there is a real problem. The Scottish Legal Aid Board calculated that if international divorce cases were transferred from the sheriff court to the Court of Session because of the complexity of applying the law of another jurisdiction, there would be a more than threefold increase in the average costs that would be incurred; the average cost in the sheriff court is currently £1,827, and the average in the Court of Session is more than £6,000. The committee considered that that result would be contrary to the efforts of the Scottish Executive and the UK Government to promote access to justice, particularly in civil law.

I would also like to comment on the green paper on succession and wills. To some degree, that green paper is more alarming, because it refers to extending and harmonising the rules and laws of succession and wills across the European Union. The Commission proposes fundamental changes to our law, and ignores the fact that our law is based on principles and on Scottish culture and tradition. In our discussion with the Commission, the Justice 1 Committee was not reassured that the Commission places sufficient value on the different types of legal traditions that exist throughout the European Union. As with divorce cases, Scottish courts have experience of applying succession law, and they use the principle of *lex situs*, which means simply that where an estate includes immovable property in another state, the law of that state will apply to it. That is a simple and straightforward practice.

All evidence that was received by the committee in response to the green paper's proposals concerning the registration of wills was strongly against any compulsory scheme, so the green paper gives us something to worry about. In my opinion, the beauty of Scots law in relation to wills is that one can register a will quite informally, as long as one dates it and signs one's name. The proposals would remove that possibility for drawing up a will, because wills would have to be registered in every case.

It was no surprise to me that, after hearing from our excellent expert witnesses, the committee spontaneously and unanimously opposed in principle the development of any further Community instruments in family law. We also consider that the Commission has so far failed to provide any compelling evidence of significant need or demand from EU citizens for action. Many of the proposals in the green paper could have significant implications for Scottish citizens, who

will, by and large, have no idea that the EU is going to be legislating in that area of law.

Our experience, gained from being involved in the creation of the Brussels 2 regulation, is that once the UK opts into such a process, our needs are compromised and change becomes, to some degree, inevitable. We should learn from experience and seek to protect the traditions and values that are incorporated in our law. We can justify retention of our law in our land. In the light of the evidence, the committee's unanimous view is that the

"proposals are fundamentally flawed and unnecessary".

We therefore recommend that the Scottish Executive strongly urge the UK Government not to opt into any draft Community instruments that emerge following the conclusion of the consultation processes.

I move,

That the Parliament notes the concerns raised by the Justice 1 Committee in relation to recent European Commission Green Paper proposals on applicable law in divorce and succession and wills; agrees that the proposals are not in the best interests of the people of Scotland, and, in light of the Committee's views that these proposals are fundamentally flawed and unnecessary, calls on the Scottish Executive to urge the UK Government not to opt in to any draft European Community instruments which emerge following the conclusion of these consultation processes.

15:04

Mr Kenny MacAskill (Lothians) (SNP): I fully support the position that Ms McNeill and the Justice 1 Committee have taken. I see that Mr Gallie is present, so I put on record that although I condemn the European Union's position on applicable law in divorce and succession and wills, I remain a supporter of the concept and the principle of the EU. However, it seems to me that the proposals in the green papers are not what the EU is meant to be about.

I have supported the EU's enlargement and will support the assimilation of other nations, and I believe that we must ensure that we can address the EU's social needs as well as its economic needs. However, it is one thing to try to harmonise social welfare legislation and quite another to impinge on an area that has reflected the basis of our society for generations. I oppose the EU's positions as adopted in the green papers, but I do not believe that I am, by setting out my opposition to where the green papers are coming from, going against the concept of the EU; I am merely taking part in a continuing debate about what that Union is meant to be about.

For almost 1,000 years, we have had a distinctive legal system in Scotland. Notwithstanding that we live on the island of

Britain, where there is a distinctive jurisdiction south of the border, we have for 300 years maintained a separate legal system while we have operated within the union of the United Kingdom. I argue that that state of affairs has been beneficial to Scotland because it has allowed the country to go its own way on legal decisions, even before the re-establishment of the Scottish Parliament. We have been able to decide how to run our society and the EU should recognise that.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I have a great deal of sympathy with what Kenny MacAskill says, but if the Scottish National Party is against common European policies on fisheries, on some aspects of the environment and the economy and on the issue that is under debate, which is a justice and home affairs matter, are there areas in which harmonisation in the EU would be compatible with the SNP's position?

Mr MacAskill: Absolutely. I have written and spoken about that subject, so I think that Mr Purvis's intervention is an irrelevancy. He may have been attempting to make a party-political point, but I am addressing proposals that would have a fundamental effect on the law of Scotland. I fully support the position of Ms McNeill and the Justice 1 Committee and I have no doubt that the minister will be sympathetic to it. We can by all means discuss the proposals in a wider context, but Mr Purvis's point is a side issue.

Society—both in Scotland and in the European Union—has become much more complicated. People have flats in Benidorm and villas in Tuscany; they move to Frankfurt to work; sadly, they die abroad; divorces happen and people marry people from other countries. Many of those developments are good and we should support them. They make the law more complicated, but I believe that our legal system is perfectly capable of addressing such matters because it has always been able to address complicated situations.

As someone who has dealt with numerous matrimonial cases—although not in the same context as my colleague, Stewart Stevenson—I know that there are devices, such as the Hague convention, for addressing situations in which disputes arise over which jurisdiction is responsible for, for example, the domicile of a child. Such cases are often complicated and that is an area of the law that requires to be refined because sometimes different interpretations are made in different jurisdictions. Measures exist to allow individual nations' to interpret laws in their own way. Matters such as how a property that is owned in Tuscany or Benidorm should be dealt with can be addressed in the context of the current Scottish legal system. Developments are afoot in

the EU, but our legal system is capable of recognising that.

Turning to broader matters for a moment, I say to Mr Purvis that one reason why I support further progress in the EU is so that we have a bulwark against the United States. That said, there are legal differences even within the USA—the state of Louisiana operates differently from the state of Alaska and the set-up in the state of Texas is different from that in the state of Massachusetts—but the system manages to operate.

There is no need for the EU to dragoon us into going down its preferred route. There are many apocryphal tales that would bring the EU into contempt, such as those to do with the banning of bagpipes or the placing of restrictions on haggis, most of which are not true. Many of us who support the ethos of the institution must argue against the proposals in the green papers because they are fundamentally wrong. Some areas of law are complicated, but the lawyers in our legal system are adequately trained to deal with them.

We should therefore go down the European Union route that the Government and peoples of Finland support, which is the fields-of-responsibility route. For some areas of the law, it is appropriate that we come together on a broader European Union basis, but other matters need to be addressed on a more regional or geographic-area basis—whether that involves an area such as Scandinavia or a part of the British isles. Some matters should be decided by individual nation states; the subjects of the debate fall into that category.

Scotland has distinctive matrimonial law. That is why we have the Family Law (Scotland) Act 2006. We also have distinctive law on succession. That is why we have introduced legislation on that and why we consider the Scottish Law Commission's views on a variety of such matters. There is no need for the European Union to impose or impinge upon us; we have shown that we are capable of working with other jurisdictions, whether in terms of the Hague, Warsaw or other conventions. The European Commission should leave Scotland well alone.

15:11

Margaret Mitchell (Central Scotland) (Con): I welcome today's debate. I do so not because I believe that there is anything contentious in the motion or that there is likely to be disagreement on the Justice 1 Committee's findings, but simply because, having visited Brussels with the Justice 1 Committee and having talked to EU officials on a number of occasions, one thing has become abundantly clear: the Scottish Parliament has to be at the very beginning of the decision-making

process at EU level. Members of the Scottish Parliament need to become involved in the process as soon as a proposal comes forward in Brussels, which is often the first time an item appears on an agenda. I say with some confidence that that is what the Justice 1 Committee did in this case. If we fail to do that, the consequences could be far-reaching. Certainly, a watching brief needs to be kept on the seemingly endless number of proposals that emanate from Brussels. At first, they seem to be for the mutual recognition of judicial decisions, but they go on to become proposals for creeping harmonisation.

The two green papers that are before us contain proposals to harmonise the laws that apply to divorce and succession and wills. Having taken evidence from the Law Society of Scotland, stakeholders and academics, the Justice 1 Committee was unanimous in its rejection of the terms of the green papers. We rejected the Commission's assertion that there is a demand or need to harmonise the applicable law in those areas. The Commission failed to provide statistical evidence to back up its assertion.

We believe that existing Scots law is working very well in applying the principle of *lex fori*, which is that our law is equivalent to the law of other jurisdictions. Harmonisation of the conflict-of-law rules could lead to a number of different possibilities. First, it could lead to other principles being introduced into our courts, the adverse consequence of which would be uncertainty about the law that is to be applied. At the moment, there is no such uncertainty. It could also lead to additional complexity which, in turn, would add to delays and increase costs. Harmonisation would almost certainly move international divorce hearings from the sheriff court to the Court of Session. If that were to happen, it would be contrary to both Scottish and EU efforts to provide wider access to justice.

The committee had similar reservations about the provisions in the green paper on succession and wills. Under Scots law, the courts apply the law of the deceased's ultimate domicile for moveable property, and the *lex situs* principle for immoveable property. All the witnesses told us that our present system works extremely well. As Kenny MacAskill said, this area of the law is a growth area, given that Scots and other EU citizens are now buying property abroad and living abroad. However, the rules that we have put in place and the principles that we have adopted are working well. In those circumstances, there is no need for change.

The green paper proposes a compulsory registration of wills to replace the informal registration that Scots law uses at present, which is not only cost effective but encourages people to

make a will. I believe that the proposal would have the opposite effect to that which the Commission envisages: it would create a disincentive to people to make a will and would create a situation in which an informal but valid will could be struck down in favour of a registered will that had been made earlier, even though the registered will did not reflect the wishes of the deceased.

For all the reasons that I have given, the current system is more than adequate, so acceptance of the green papers would be a retrograde step. The Justice 1 Committee nicely summed up the situation when it said in its response to the green papers:

“The Committee is opposed in principle to the development of any further Community instruments in the area of family law. The Committee considers that the Commission has so far failed to provide any compelling evidence of significant need or demand from EU citizens for Community action in this area.”

I am more than happy to support the motion.

15:16

Mike Pringle (Edinburgh South) (LD): Members of the Justice 1 Committee must do all that we can to protect and enhance our legal system in Scotland. There is no doubt that the European Commission green papers on applicable law and jurisdiction in divorce and succession and wills threaten the way in which we deal with such matters in Scotland. We should be clear about the fact that the implementation of the proposals could lead to a situation in which Scottish courts applied family law to divorce cases and required people to register their wills. We do not want such a situation.

People who work on EU family law proposals claim that the free circulation of decisions is particularly important in family law, because family ties are increasingly being formed between nationals or residents of different member states. In that context, it is important that there be clear rules on jurisdiction and applicable law in matters of divorce and parental responsibility, and it is important to establish common-effect rules for the recognition and enforcement of decisions within the EU.

Perhaps a member will correct me if I am wrong, but I understand that there has been no debate on the matter in the European Parliament, although I think that national ministries of justice were represented when the issue was debated in public at a meeting a couple of days ago.

The Justice 1 Committee received evidence from a number of witnesses, including the family law sub-committee of the Law Society of Scotland, which took the view that the application of foreign law in divorce cases would inevitably lead to

considerable delays and, as a consequence, increased costs for all parties. Indeed, the Scottish Legal Aid Board suggested that costs could rise from £1,827 to £6,649. The Justice 1 Committee only recently considered the Family Law (Scotland) Bill, which made provision to change the time limits for divorce and other matters. We should allow the Family Law (Scotland) Act 2006 time to settle in so that we have an opportunity to ascertain how the reforms that it has introduced work in practice. We can return to the issue and examine it further in the next session of Parliament, if we want to do so.

In a letter to the committee, the Law Society of Scotland said:

“Representatives of the Society agreed that there was no particular problem in relation to jurisdiction in relation to forum shopping or in relation to applicable law. The current rule of Scots international private law—that the *lex fori* principle, the law of the forum, applies—seems to present no problems in Scottish courts as far as is understood from a practitioner perspective. The Society does not think the case has been made for harmonised divorce law.”

That ably sums up my view on the matter.

The green paper on wills and succession was published on 1 March 2005, which was when the public consultation started. The aim of the consultation was to canvass opinion on the practical problems. Again, a number of witnesses gave evidence to the committee and we were told that a number of previous attempts to harmonise the law had fallen on stony ground. We also heard that the Scottish Law Commission is about to review domestic succession law. I am sure that the Scottish Law Commission will do that well and that it will approach Parliament with appropriate proposals for change.

The proposed requirement to register wills would be counterproductive, and the committee heard no evidence in favour of a compulsory registration scheme. I emphasise the point that Pauline McNeill and Margaret Mitchell made: many Scots write their wills by themselves and have them witnessed without incurring the cost of a solicitor. Such wills are perfectly legal if they are signed and witnessed and would be accepted by a Scottish court. If we were to agree to the EU proposal, it is likely that such informal wills would not be accepted if a previous will had been registered through a solicitor. That is another reason not to accept the EU proposals.

I accept that times are changing. More and more people buy property abroad, live and work abroad and, for that matter, die abroad. In the future, some harmonisation of the conflict-of-law rules may be desirable but, as I have said before, at that point the Scottish Law Commission should produce proposals on how to change Scots law.

15:20

Mrs Mary Mulligan (Linlithgow) (Lab): It is important that Parliament's committees discuss, take a view on and influence the European Commission's decisions. Like Kenny MacAskill, I am a strong supporter of the UK's membership of the European Union, but I will never accept that it should dictate on issues that affect the lives of people in Scotland. I strongly support the idea that, as a democratically elected Parliament, we should robustly challenge EC proposals.

In last week's debate on international women's day, we all agreed that that should not be the only day on which we discuss issues that affect women. Today, we acknowledge, with due respect to members of the European and External Relations Committee, that many committees of Parliament—not just that one—need to take an interest in European issues. The Justice 1 Committee took evidence on applicable law and jurisdiction in divorce and succession and wills. Although that may sound like a mouthful and people may not immediately understand what is involved, many of us may already have been touched by the issues and many more will be in the future.

More marriages now take place between couples of different nationalities. Given that such people may marry in a third country and live and then seek to divorce in a fourth country, we can understand why there could be a need for certainty about which law, or which country's law, will be used if a divorce is sought. It is also easy to understand that couples' family members can be of different nationalities and live in different countries. We must consider which law pertains to succession and wills after a death. The Justice 1 Committee took evidence diligently on the issue—in writing from various officials and the legal profession and orally from representatives of the Law Society of Scotland and Scottish Executive officials. As is becoming fairly commonplace for the committee, we also had a videoconference with European Commission officials.

As has been said, in divorce, Scotland presently uses the principle of *lex fori*, which means that the law of the country in which the case is brought is used. That principle gives certainty, because people know what the law will be. It avoids doubt as to which law is to be used and it avoids the additional work and cost for legal professionals and the couple, of dealing with what might be unfamiliar law. The concern that one of the couple may rush to a particular nation's courts to gain an advantage over their partner is not supported by any evidence. Therefore, the committee's view is that, on divorce, it would be prudent to let the relatively new jurisdictional rules in the Brussels

2a regulation settle down before they are reviewed and possibly changed.

Jeremy Purvis: I was not involved in the committee's consideration, but does the member agree that, in an international divorce, there may be assets and bank accounts in different member states of the EU, which would add complexity over and above the issue of the jurisdiction within which the divorce takes place?

Mrs Mulligan: Such situations may arise, but the important point is that, at present, people know which law will be used to deal with them.

On succession and wills, Scotland has a clear succession system, in which movables are covered by the law of the deceased's domicile and immovables are covered by the law of the country in which they are situated. That is simple and straightforward and people understand it. Unlike with divorce law, the Scottish courts have experience of applying foreign law to succession. Further suggestions in the green paper include an executor certificate, a European certificate of inheritance and a European wills registry. All those would have problems, particularly the suggested register, which could allow valid wills that are more up to date and relevant to be rejected in favour of previously registered versions.

There is a general view that we, as legislators, need to consider how to handle the interface between emerging European law and Scottish law. The timing of legislation could also be an issue. As we have heard, a European green paper has been produced at the same time as the Scottish Law Commission is reviewing domestic succession law. It is clear that such situations can produce friction.

I am concerned that, having produced the green paper, the European Commission officials to whom we spoke could not provide examples or statistics to show how people had been affected by the current mixed systems, and that they had not carried out an impact assessment of the proposed changes. It appears to the committee that the suggested changes would be detrimental to Scots. Despite the academic examples that Pauline McNeill gave, there is no clear indication that the current system is causing problems. Moreover, it is unlikely that all the other European countries will reach agreement—when there was a previous review, they did not agree. For those reasons, I hope that members will support the Justice 1 Committee's recommendations and decline to opt in to the proposed instrument.

15:26

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The Commission's green paper outlines what it considers to be shortcomings in

the current situation in the European Union. On divorce, there should be some sympathy with the Commission for providing what is, on the face of it, an analysis of those current shortcomings. First, the Commission has considered whether individuals who are involved in an international divorce would choose from several alternative grounds of jurisdiction. Secondly, it has pointed to the significant differences between the national conflict-of-law rules and the prospect that those differences will be even greater as the European Union enlarges. Thirdly, the Commission has mentioned a lack of legal certainty and flexibility. Fourthly, it has pointed out that the current arrangements may lead to results that do not correspond with the legitimate expectations of citizens, although there is no clarification of what those expectations are in a divorce dispute.

Community citizens who are resident in a third state may face difficulties in finding a competent divorce lawyer. It would be fair to say that that would not happen in Scotland, but it could happen in other member states. They may also face difficulties in having a divorce judgment that is issued by a court in a third state recognised in their respective member states of origin. Finally, there is a risk of a rush to court under the current arrangements.

The Commission has the right to point out what it considers to be shortcomings in the European Union, but there is a valid debate to be had on what the responses to it should be. First, it is right to emphasise the constitutional status of the Scottish Parliament and of the green paper itself. It has already been stated that, under title IV of the Treaty on European Union, the UK has the ability to opt in to justice and home affairs issues, which is welcome if we want to ensure that Scotland has a voice in that area.

Members of the Justice 1 Committee have done a good job not only in scrutinising the European Commission green paper early in the European Union legislative process, as Mike Pringle said, but in bringing the matter to the chamber. I am a member of the Justice 2 Committee, which recently visited Brussels to meet members of the European Commission. There are similarities between what we are discussing and aspects of the proposed criminal law reforms. In Brussels, we discussed the Scottish Parliament's role in scrutinising early proposals relating to bail and police procedures. Members thought, as it is thought in this case, that the European Commission had got the emphasis wrong in seeking to dilute Scots law in many areas by proposing a lowest common denominator for what has been described as European harmonisation.

Pauline McNeill outlined a fairly devastating case against the Commission's proposals. When

the Justice 1 Committee was scrutinising the proposals, she asked members of that committee whether they had experience of the matter. I am relieved to hear that Mr Stevenson has not personally gone through an international divorce, but he provided the committee with casework experience to scrutinise, which I am sure was of great value.

Kenny MacAskill felt that I was making a party-political point when I asked which areas of European harmonisation are acceptable to a nationalist. I acknowledge that that is a wider debate, but it is a relevant issue for us to consider. We are a devolved Parliament within the UK member state and I think that all of us in the chamber are at one on the importance of protecting and preserving our distinct legal system.

When the Justice 2 Committee was in Brussels, we met the director general of the directorate-general for justice, freedom and security, who told us that account is taken of the member states' one extra legal system. I take him at his word and acknowledge that the Commission is fully apprised of our distinctiveness in criminal and civil law. However, while I agree with the members who said that it is part of the duty of the Parliament to ensure that we are vigilant that that distinctiveness is not eroded, we heard examples of complexity in that area. Other areas of policy, such as energy or fishing, are not as straightforward and there is a debate to be had in the devolved setting of the Parliament about how we interpret and legislate on European issues in—as I would like to see—a federal setting.

Pauline McNeill: Does the member agree that there have always been complex situations? We have dealt with private international law for a long time, using the Hague convention. In fact, if the Commission went in the opposite direction and looked for simpler solutions, such as the one that we have in Scotland, perhaps there would be less for it to do.

Jeremy Purvis: Ultimately, I agree. We do not hear the S-word much, but subsidiarity should be the basis of legislation in Scotland, the UK and the EU, so that legislators make laws that are as close as possible to the people who will be affected by them. If we are to engage again in a debate about the European constitution, I hope that that principle is to the fore.

I agree with the Justice 1 Committee's conclusions, which, while they are robust, are nevertheless correct. I speak in particular of the committee's concern that no impact assessment has been done by the Commission to determine what the effect would be on member states' substantial, procedural and conflict rules of the various proposals that have been set out. That is

an extremely relevant point, not only to this debate on the proposals but to the wider issue of impact assessments in member states and devolved Governments when proposals are made.

15:33

Bill Aitken (Glasgow) (Con): Unless the world turns upside down at the conclusion of the debate, common sense will prevail. It was not always thus. The Minister for Justice has heard me banging on frequently about the old saying, "If it ain't broke, don't fix it." It would be total nonsense to fix this, because there is no problem with the existing system.

I am not the most Eurosceptic of individuals, but there is a school of thought that the Commission is staffed by little men and little ladies with not a lot to do, who look at what they can get up to pass the time and to become increasingly intrusive in people's lives. That is not a view to which I particularly subscribe, but when I see the measures that are being advanced I could be persuaded. From what I can tell from the Justice 1 Committee's report, there has been no statistical evidence under either of the headings in the legislation—the divorce and succession aspects—that would justify any change in the law. How much did it cost for the measures to be introduced, simply for them to be rejected by anyone with a scintilla of common sense? It is significant that the UK Government, a body that is not renowned for having that degree of common sense, has reacted negatively to the proposals.

Kenny MacAskill was correct to flag up the fact that we are becoming more internationalist in outlook and activity. That is no bad thing. People have holiday homes abroad, we have transferability and mobility of labour and, as we know, tragically, accidents happen all too frequently. However, there is nothing that could happen that would not be met within the law as it stands. The law of Scotland in respect of succession makes it clear that the immovables or capital assets should be dealt with in the country of domicile, whereas the movables should be dealt with in the country where the incident happened. There are no issues that need to be addressed.

Frankly, I despair when I see the European Commission advancing such measures. It is indicative of a body that is hell-bent on being much more intrusive and in which no great thought has been applied to the proposals. On this occasion, the Justice 1 Committee—steered ably, I am sure, by Margaret Mitchell and convened admirably by Pauline McNeill—has come up with the right solution to the problem: complete rejection of these nonsensical proposals. We can all carry on quite content that Scots law is in a position to cope with any problems that may arise.

15:36

The Minister for Justice (Cathy Jamieson): I have no interests to declare, as I do not have a holiday home in Tuscany, Benidorm or anywhere else. I am, of course, domiciled in the central part of Europe that is known as Ayrshire. I am married to a Scot and have not so far had any difficulties in that respect.

I thank the Justice 1 Committee and its convener for bringing this topic to the chamber for debate. It has been a welcome opportunity to discuss some concerns about the developing proposals on applicable law and jurisdiction in respect of divorce, succession and wills in an EU-wide and cross-border context. In her opening speech, Pauline McNeill referred to the glazed looks that she encountered when she tried to explain the proposals. I am glad that there have not been glazed looks in the chamber this afternoon, because Pauline McNeill, Kenny MacAskill, Mary Mulligan and, I have no doubt, other members have had examples explained to them that make it clear that this is no dull, technical debate but one that could have important implications for people in their daily lives, given the changes in the way in which people move around Europe.

I have listened with great interest to the points that have been made. Like all members present, I hope, the Executive attaches great importance to our role in the formation and implementation of all EU legislation that impacts on devolved areas. In consultation papers that affect broader aspects of family law in Scotland, we see examples of proposals that would impact on the lives of many people here. I hope that members such as Mary Mulligan and, in particular, Kenny MacAskill will agree that it is right and proper that the Executive and the Parliament should be at the heart of Europe and should play an active role in EU justice and home affairs issues in general. That is why I believe that it is important that my officials and I have established good communication links with EU institutions and that I take the opportunity, whenever possible, to attend justice and home affairs councils in Brussels as part of the wider UK delegation.

We are committed to the fundamental principles of protecting individual rights and making legal procedures in Scotland more efficient, to which Europe is central. That is why it is right that the Executive engages with, understands and examines the proposals on cross-border divorces and succession. However, we must do so in a way that upholds the principle of fairness and ensures increased speed and efficiency for both Scottish and other UK citizens' access to the European Community's diverse justice systems. As many members have argued, that is very much about

ensuring that the provisions of Scots law are protected. As is the case in criminal law, there are strong arguments in favour of mutual recognition, rather than harmonisation at all costs. We have heard some examples of those arguments.

I will make a few brief points about the Executive's position on one or two aspects of the proposals that we have heard discussed. My officials worked closely with officials in Whitehall to ensure that the final UK Government response to the green paper fully accommodated the Scottish position on applicable law and jurisdiction in cross-border divorces. From the UK Government's submission, it was clear that anything less than the application of the law of the forum—the place where the case is heard—would not be desirable for UK jurisdictions. I agree absolutely with that position. There was a similarly clear message on the questions of jurisdiction that would provide rules on which member states' courts would have competence to hear the case.

Although there might be some limited use in revisiting existing jurisdictional rules, we are not persuaded that the EU's Brussels 2a regulations, which regulate cross-border divorces, should be unpicked in the absence of hard statistical evidence that the existing rules are unworkable. It is not often that Bill Aitken steals my lines, but I think that we heard him use the phrase, "If it ain't broke, don't fix it." That came across strongly from a number of responses to the consultation document.

It remains to be seen what the Commission will issue in the way of draft legislative proposals. It would seem—as we have indeed heard this afternoon—that the UK is not the only member state to prefer an applicable law regime in which the law of the forum is the law to be applied in cross-border cases. The importance that is attached to that principle was outlined by a number of other member states at an intergovernmental meeting that was held in Brussels earlier this week.

I very much welcome the constructive speeches that have been made today on influencing and informing our approach in Scotland in relation to what might emerge in future European proposals. We can influence the shape of proposals only if we are involved in the process; we cannot afford simply to be dismissive or excessively narrow minded in pursuing outmoded ideas of what some would see as Scotland's best interests. A debate such as this gives members an opportunity to express their views and concerns in a timely fashion.

There are no draft legislative proposals as yet from the Commission. I stress the fact that both the green papers to which the motion refers are simply consultation documents at the moment.

Concrete proposals on applicable law and jurisdiction in divorce are expected to be issued at some point in the summer or in the early autumn. Proposals on succession and wills are likely to be issued later this year or early next year. Today's debate and the points that have been made during it will help us to respond as and when any firm proposals emerge.

A number of members pointed out how important it is to ensure that Scotland's interests and legal traditions are safeguarded in any proposals on applicable law and jurisdiction on divorce or on succession and wills. I restate my commitment to remain fully engaged with the work that the Department for Constitutional Affairs and its ministers are doing to ensure the best outcome for Scotland and for the United Kingdom in relation to any proposed instruments in this area. Executive officials will, of course, work very closely with their Whitehall counterparts ahead of any draft legislative proposals. The UK Government is refining some of its key points with academics and practitioners, and we have taken the opportunity to do the same in Scotland. We will continue to work with the DCA. We are in the final stages of co-ordinating a response, which will be submitted next month.

Pauline McNeill, Margaret Mitchell and Mike Pringle highlighted a number of reasons why it is important that we take a view on succession and wills in particular. I expect that the final response that will be submitted will include some issues around the practicalities of the creation of a European register of wills and a European certificate of inheritance, as well as address the protection of heirs in Scotland and the matter of legal and prior rights in succession. It might also deal with the question how to safeguard a lifetime gift, which, in Scots law, would not automatically be reincorporated into a testator's estate upon death.

We have an opportunity to influence the shape of future proposals. I am clear about our need to continue to work closely with our UK Government partners and with stakeholders. As soon as any concrete legislative proposals emerge, we must feed in the Scottish position to the overall UK member state position. That is very important to us. I emphasise the importance of recognising the fact that the green paper consultation is still at a very early stage. We will need to examine whatever is produced in the future.

We have heard a number of important speeches this afternoon, which will help us as we develop our further work. On the basis of the debate, I am pleased that the Justice 1 Committee and the Executive are operating according to the same principles. We will continue to press the case as it has been made today. We will seek to ensure that

Scots law is protected and that we operate on the principles of mutual recognition, rather than on those of unnecessary and unhelpful harmonisation.

15:44

Stewart Stevenson (Banff and Buchan) (SNP): The Justice 1 Committee brought this matter to the attention of the Parliament, because green papers have a habit of changing colour. There is little doubt that acting at an early point in the European legislative process increases dramatically the likelihood that one can influence the outcome. We have seen too often, when intervening at a late stage, that when a proposal has achieved a degree of momentum it can be difficult to dislodge.

The debate can be summed up in one simple phrase. Parliament is saying clearly and unambiguously to the European Union and its officials, "Get your tanks off our lawn; we're nae having it."

A number of members have raised the issue of the internationality of Scotland and the people in it and reference was made to some of my constituency work, which touched on that. It is worth saying that in the past couple of years a widow of a member of the Movement for Democratic Change in Zimbabwe has sought my help—her brother and her husband were both murdered by Robert Mugabe's men; I have heard from a Chinese acupuncturist who had residency problems; and I have spent something of the order of £500 on translation fees in seeking to help a Latvian father whose daughter had the misfortune to die in my constituency. I do not imagine that any member has had nothing of a similar nature in their constituency work.

The world is international; we cannot roll that back. That is not even a recent development. My great, great grandfather William Stewart emigrated to the United States, but did not like it much and came back. My great, great uncle Alexander Berrie went to Australia; he did like it, stayed there and became a multimillionaire. A rather distant cousin of mine, James Jeffrey, died in Shanghai in 1870 at the age of 33, thus cutting off his potential before it could be fully realised. In all the weddings that I have attended in the past 15 or 20 years, there have been six different nationalities among one or other of the partners. I am one quarter English, so I am used to cross-jurisdictional marriages.

I take particular interest in internationality because Banff and Buchan is the most cosmopolitan constituency in Scotland, which is reflected by the fact that we have three consulates. That might surprise some members.

There is little doubt that few if any of us have been approached by our constituents or by anyone else saying that the law that touches on international private affairs in either divorce or testamentary affairs requires to be changed. I have not met anyone who has been so approached. The reason for that is straightforward: by and large, the law works as well as it is possible for such things to work. None of us wishes ever to encounter either circumstance, but the reality is that death is inevitable and divorce is all too common. It is important that we have a well-founded, well-understood and well-established system for dealing with those matters. In Scotland, as in the majority of the countries in the European Union, there are well-established processes that mean that the law works pretty damn well.

Why are we considering change? Cynically, I say that it is perhaps because idle hands are looking for work to do. It would be proper for us to consider change that provides mutual benefit to people throughout the European Union, where there is a genuine, identifiable problem that requires it. We should make such changes by mutual decision making, which would ensure that the distinctive Scottish system was represented in whatever way was appropriate at the time. In that way, we would have mutual laws and practices. However, if there is no need for change, change should not be driven by officials.

We are clear that there is absolutely no blank cheque for EU proposals in this area. I do not believe that any political party, in the Parliament or beyond, wishes us to act in the way that the green paper suggests.

Under Scots law, it is straightforward to establish jurisdiction in divorce and testamentary matters. If we reach the position where people can shop for jurisdictions, applicable law will get really complicated. Recognition and enforcement work quite well at the moment.

Think of this: if the law were to change, fewer people might go to another country to marry. I am neither for nor agin that, but the people in Gretna might regret it if their business went down a bit because of potential complications for people who want to travel to another jurisdiction to marry.

The freedoms of people throughout Europe are protected by the status quo; the freedoms of people in Scotland are served adequately by existing Scots law. I hope that the minister either in her ministerial capacity or, if that is not possible, in her private capacity, will ensure that a copy of today's *Official Report* is delivered to the appropriate people in Brussels. I add my support to the motion.

Fresh Talent Initiative

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-4110, in the name of Linda Fabiani, on behalf of the European and External Relations Committee, on the Scottish Executive's fresh talent initiative.

15:51

Linda Fabiani (Central Scotland) (SNP): When I joined the European and External Relations Committee, it was just compiling the report "An Inquiry into the Scottish Executive's Fresh Talent Initiative Examining the Problems It Aims to Address, Its Operation, Challenges and Prospects". It was immediately obvious to me that a lot of time had been spent and a lot of hard work had been done by committee members, past and present, under the stewardship of the redoubtable John Swinney, who was the committee's previous convener. The clerking team and staff of the Scottish Parliament information centre also did a lot of work on the report.

I found it an extremely interesting report and I enjoyed contributing to its compilation. Since its publication, however, there have been changes, and the initiative has progressed in some ways.

The committee recognised in its report that, as a relatively new policy that aimed to tackle long-term issues, the fresh talent initiative would change and develop. No doubt, the minister will outline during the debate his perspective on progress made; likewise, others will express their views about the initiative's effectiveness and ambition. My role today is to reflect the findings and recommendations of the European and External Relations Committee.

The committee's first recommendation was that the Executive should set out clearly the purpose, direction and expectations of the initiative to help to ensure a better understanding of how the initiative fits into Scotland's economic strategy.

We recommended that as well as attracting external talent, the Executive should aim to mobilise Scotland's existing talent pool to the fullest extent, paying particular attention to the 688,000 people in Scotland who are economically inactive. The evidence that we received suggested that the employability framework should be revisited. As part of that, another recommendation stated that in

"mobilising Scotland's existing talent, the Executive seeks to address any barriers to economic participation."

We recommended that the Executive should develop into policy the originally stated intention of

attracting skilled Scots and graduates back to work in Scotland.

In relation to potential new Scots contributing to our nation, the committee recognised existing examples. For example, we noted the Executive's recruitment efforts in Poland and recommended that such work should be undertaken in a proactive, promotional way in other accession states.

We also recognised the experience of the FirstGroup and suggested that it be promoted as an example of good practice in identifying and filling the skills gap.

In some of the recommendations, we expressed concern about the employment conditions and needs of potential workers in developing countries. We recommended that

"the Executive monitor recruitment processes to ensure it avoids depriving developing countries of needed skills through the Fresh Talent initiative",

and asked it to report back to the committee in that regard.

Some members expressed concern about the exploitation of workers who come to our country to work in certain sectors, and there was much discussion about the report's recommendation that

"the Scottish Agricultural Wages Board and other bodies should monitor proactively the employment of foreign labour through agencies to prevent unfair exploitation of foreign employees and to minimise the risk of friction between local and foreign workers."

Of course, we also acknowledged that such workers need support to be able to fit in with our society, and recommended that

"the Executive consider the support that employers of Fresh Talent workers may need in taking into account the particular social, moral and cultural responsibilities that there may be in taking on non-UK workers."

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Did the committee discuss whether providing those workers with language skills would have a knock-on effect on local authority education budgets?

Linda Fabiani: I hope that Irene Oldfather, who was party to all the discussions on the inquiry, will discuss that question with other committee members and respond directly to Mr Stone's point when she sums up. Although I absolutely see where he is coming from, the point was not raised in the short time that I was involved in the report's compilation.

Other speakers will no doubt focus on recent announcements on the United Kingdom's immigration policy. On that matter, the committee's recommendation was quite clear: we wanted the Executive to

“report to the Committee on the views it has expressed to the Home Office on the new points-based immigration system it is proposing as a replacement for the many existing work schemes for non-EEA nationals.”

The recommendation that probably received more media coverage than any other was that

“the Executive, in its discussions with the Home Office, make the case for employment opportunities for those asylum seekers awaiting a decision.”

That recommendation recognises that a lot of fresh talent is already available in Scotland, but that we are not able to utilise it because of laws over which we have no control.

I do not know whether, since it responded to our report, the Executive has gone any further than its response at that time, which was that it was up to the Home Office to determine policy on the issue. Perhaps the minister can give us some more information about that.

One of the committee’s overarching recommendations was that the Executive should ensure that, instead of “being a stand-alone initiative”, fresh talent is mainstreamed across policy areas. In that respect, the committee also felt that

“in seeking to grow the Scottish economy, the Executive may see sectoral employment gaps which a more focused approach within Fresh Talent may be able to address directly.”

I very much look forward to hearing from committee members who, unlike me, were involved in the inquiry and the compilation of this fine report from the start to the finish and to hearing the minister’s views.

I move,

That the Parliament notes the 4th Report 2005 (Session 2) of the European and External Relations Committee, *Report on an Inquiry into the Scottish Executive’s Fresh Talent Initiative Examining the Problems It Aims to Address, Its Operation, Challenges and Prospects* (SP Paper 448).

15:59

Mr Charlie Gordon (Glasgow Cathcart) (Lab):

I commend the European and External Affairs Committee’s report on the fresh talent initiative. In saying that, I am not patting myself on the back, because I joined the committee late in its deliberations.

Scotland’s population is projected to fall below 5 million by 2017. However, projections can vary because population trends can vary. As a result, if we sustain the increase that has occurred over the past two or three years in the Scottish birth rate and net in-migration, that worrying 2017 projection might well be revised.

However, there are no grounds for complacency, given the potential damage to Scotland that is implied in the original projection. The effects—to mention just a few—would include falling school rolls, shrinking tax revenues, labour market contraction and declining domestic markets.

Building on the record net in-migration of 2004 has been a key orientation for the fresh talent initiative. Efforts will need to be sustained over a decade but early partial snapshots of the initiative’s progress are encouraging. Significant progress has been made through measures to strengthen Scotland’s international image, on which a full report will be released in June this year.

The relocation advisory service, which has been live for 18 months, has provided in-depth advice to more than 8,700 people and its website has received more than a quarter of a million hits. Such efforts are underpinned by targeted marketing and promotional campaigns in key markets, such as Poland, China, India and the USA. One Scottish feature on a Polish radio station generated 300 inquiries overnight to the relocation advisory service, and an article in a leading Indian newspaper resulted in more than 500 inquiries.

That work is of vital national importance. The bottom line is that, in each year, we need at least 8,000 more people to be born here or to migrate to Scotland than we lose through death and emigration if we are to avoid the worst-case scenario. Fresh talent must be sustained.

We must also continue with other initiatives that have the potential to address the problem. The committee recognised Glasgow City Council’s largely successful efforts to support asylum seekers and refugees. That is credit where it is due. For all the difficulties, Glasgow’s six-year involvement with thousands of asylum seekers has been overwhelmingly and mutually beneficial.

Over the past six years, of the thousands of asylum seekers in Glasgow who have been given leave to remain in the United Kingdom, some 2,500 families—a total of some 7,000 individuals—have chosen to remain in Glasgow. That is testament to the attractiveness of that city and our country. Those who have stayed on include doctors, nurses, lawyers, academics, engineers and, I assume, hewers of wood and drawers of water. That is fresh talent indeed. Scotland is the stronger for its new Scots.

16:02

Jim Mather (Highlands and Islands) (SNP): I drew comfort from the objective that was set by

the policy paper “New Scots: Attracting Fresh Talent to Meet the Challenge of Growth”. It states:

“to achieve a balanced economy, with a stable tax base to support strong public services ... we must boost the working age population, particularly the 25-45 age group.”

That is absolutely right, as there is no doubt that Scotland faces a serious issue on population.

As those of us who attended the Allander series of lectures will recall, William Baumol predicted that unless we do something meaningful soon, the solution will be neither easy nor obvious. Although we have had a fillip of late from young migrants from the accession states, the underlying data in a report from the Government Actuary’s Department resonate in my mind. That report suggests that Scotland’s population, which has been 5 million throughout my life, will drop to 3.6 million by 2073. In that time, our working-age population, which is currently 3 million, will drop to 2 million. That is surely reason for a very serious strategy indeed.

We made a good start with an easily understood and worthy objective, but the initiative has tended to go a bit pear-shaped since then. Not all stakeholders were involved in the objective, as the scheme was repeatedly undermined by the Home Office. Our senior management might be committed to perpetual improvement, but a distinct lack of continuity is evident in the way in which the style and operation of the programme are changing.

The statistical control that I would like has simply not been available. In response to my questions to ministers on how many successful applicants are now resident in Scotland and how many people have contacted the relocation advisory service, I have been told that those data are not held. Without statistical control, we cannot move forward properly. Fundamentally, we do not have all the tools to do the job. That is the biggest of the big issues.

Moreover, the fresh talent programme has now been overtaken by events, although Westminster’s takeover of the scheme is given derisive treatment in this week’s edition of *The Economist*. Fresh talent has been exposed as a derivative of the existing science and engineering graduates scheme and has now been subsumed into the UK scheme. Some differentiation may be retained, but the branding and momentum have been wasted and the continuity has gone. Problems abound with the number of loose ends, including the lack of data that are forthcoming about the scheme.

On top of that, to date, the initiative has failed. The original target of 8,000 individuals was miles short of the 40,000 that we need to maintain population balance. The annual rate of 1,500 immigrant workers is miles short of the 8,000 target. The initiative is expensive and offers a half-

hearted welcome. Although we are benefiting from workers from the European Union accession states, which is giving us a kind of fig leaf, performance is quite stark. We have had 23,000 people come in from the accession states, but Ireland has had 120,000 in just one year. We are falling dramatically behind.

In making the wider comparison, the big issue is that the countries that we are competing against have economic and immigration powers and are delivering success. In 1905, Norway had a population of 2.2 million people; it now has a population of 4.6 million people. In 1973, Ireland had a population of 2.8 million people; last year, it went through the 4 million barrier, and in 2019 it will go through the 5 million barrier. We must learn the lessons from those other countries and be competitive. That means having fiscal powers, being able to invest in people and in infrastructure, so that we can get more people into work, and attracting and retaining talent. We need immigration powers. Not only is Charlie McCreavy telling us that that is what works in Ireland; George Osborne has come back from Ireland and has told us that that is what works and that we should adopt that approach here. The Steel commission is adding weight to that view.

Scotland must get real and have the immigration and fiscal policies that are the hallmark of a real economy and a real country.

16:06

Phil Gallie (South of Scotland) (Con): I was pleased to play a positive role in encouraging the European and External Relations Committee to take on board the debate about fresh talent. Sadly, I was not able to play a full part in that work—in part, because of Jackie Baillie and her formidable team of clerks on the Edinburgh Tram (Line One) Bill Committee, which tended to keep me away from the European and External Relations Committee. Having said that, I was able to contribute to the report in the final stages.

When Jack McConnell first described the policy, he saw the falling population as Scotland’s most serious long-term problem. He was right, although since then he has described a number of other serious issues, such as climate change, which perhaps take precedence in his mind at present. The falling population is not just a Scottish issue; the committee found that, in virtually every country in Europe, there are declining populations. That is a cause for concern.

It is interesting to look at the figures in the report that relate to the rest of the UK. In the midlands and the London area, populations are increasing, whereas they are falling in the north of England. That suggests that it is not just the falling birth rate

that is having an effect on the size of population in Scotland. There are worrying aspects to that. If we analyse the situation in relation to the population age groupings, we find that, as we move forward, the number of people in the working-age band is falling while the number of people in the elderly bracket—the retired bracket—is rising. That must cause us concern, especially because of the revenue dependency of our national state system for pensions. Indeed, we already see problems arising in the private pension system because of actions that have been taken by the Chancellor of the Exchequer, Gordon Brown, in raiding those pension funds.

Perhaps we should take a little comfort from the situation that I picked up on regarding the rising populations in parts of England. Our national economy provides an overall umbrella for us.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): What weight would the member give to the recent figures from the registrar general for Scotland, which show that there have been more births than deaths in Scotland and that, for the first time in a generation, more people moved to Scotland from other parts of the UK than the other way round? Would he put that down to the success of devolved policies in Scotland?

Phil Gallie: The point that the member makes about births is something that I pointed out in the committee debates on the fresh talent initiative. It is an interesting factor and I hope that the situation continues into the future.

I am sorry, but I missed the member's second point; I hope that I will address it as I go on.

There is more to the issue than the birth rate. The economic standing of Scotland is all-important. I take no great comfort from the fact that, since 1997, Scotland has fallen from being the third equal most competitive part of the United Kingdom to eighth out of 12, and I believe that to be a real problem.

One of the aspects—

The Deputy Presiding Officer (Murray Tosh): You are over your four minutes, Mr Gallie.

Phil Gallie: I am over my four minutes already—goodness me!

The committee's report expressed members' concerns about the economically inactive. The report mentions that there are 688,000 economically inactive people, but the minister's response to the committee says that 526,000 economically inactive people are available to move into an active economy. That represents 20 times the fresh talent initiative's target of 8,000 people moving into the Scottish economy.

I support the committee's report and thank the committee and its members for everything they have done on it. It is a good report.

16:11

Mr Jim Wallace (Orkney) (LD): I welcome the debate, the report and, indeed, the fresh talent initiative. As Charlie Gordon indicated, although the demographics have changed somewhat since the First Minister announced the initiative, there is nevertheless no room for complacency. The news that in-migration is greater than it has been for a generation does not sit comfortably with the doom-and-gloom merchants. Nevertheless, it is right that we continue to focus on the fresh talent initiative.

We have to address not only the total population figure but the demographics within that figure—such as the fact that the population is increasingly aging. As was made clear in the Executive's response to the committee's report, one of the purposes of the fresh talent initiative is that it should contribute towards the growth of the Scottish economy so that we can compete and succeed in the global economy.

I have always maintained that as well as attracting fresh talent to our shores—and perhaps even before we start to do that—it is important that we retain the talent that is already here. There are encouraging signs about graduate retention. Professor Joan Stringer's evidence to the committee indicated that 84 per cent of graduates of Scottish universities stay on in Scotland. The figures that were issued towards the end of last year about graduate destinations in 2003-04 showed that 79 per cent of respondents who gained permanent employment in the year after qualifying gained it in Scotland, and 90 per cent of Scotland-domiciled respondents who were in permanent employment were employed in Scotland. We all want those figures to be built on.

Many have derided the visa scheme that was introduced. During the week when it was announced, I had to address some foreign students who were studying for master of business administration degrees at the University of Edinburgh and there was great excitement when I mentioned that there would be a scheme under which, after graduation, people would be allowed to get a visa to stay in Scotland for two years. I was almost lynched when I told them that it would happen not in the year of their graduation but in the following year. That shows the interest and excitement that the scheme produced. Figures have shown that there were 1,500 successful applications from 75 different countries during the first seven months of the scheme.

Phil Gallie: Will the member give way?

Mr Wallace: I am sorry but time is too short.

As the committee's report points out, we should encourage those who are economically inactive. The smart, successful Scotland approach indicates that the enterprise networks must focus on economic growth in a way that supports the policy of closing the opportunity gap. Perhaps George Lyon will be able to tell us when the employability framework is likely to be published, because it is important that we take advantage of the talent, ability and skills that we have.

I will give way to Mr Gallie after all.

Phil Gallie: Does Mr Wallace recognise that Scottish networks international has been carrying out a very similar exercise during the past 15 years? That work, which was very successful, might have been phase 1 of the fresh talent initiative.

Mr Wallace: I recognise that, and I am sure that all members will have noted the briefing that we got from SNI before today's debate, which underlines the points that Mr Gallie has made.

My second point is about the importance of encouraging ethnic minorities in the workplace. Linda Fabiani pointed out the important recommendation that the minister should press the Home Office—because it is a Home Office responsibility—and should make the case that asylum seekers for whom a determination as to whether they should stay is pending should be allowed to work if they have the opportunity to do so. It is far better that they be allowed to work and to make a contribution. Evidence given to the committee suggested that 21 per cent of refugees were university educated but that very few were in work suited to their qualifications. That is a loss to us.

The final point that I want to make in the relatively short time available to me is one that has already been made: in pursuing fresh talent, we should ensure that we do not draw away talent from countries that are in greater need than we are, particularly where students with specific medical skills are concerned. The committee urged the Executive to monitor that area, and it is worth monitoring it to ensure that, in pursuing a policy that is important from a Scottish point of view, we do not damage others in developing countries.

16:16

Patrick Harvie (Glasgow) (Green): I welcome the opportunity to take part in the debate and I commend the European and External Relations Committee for its report. The Executive is right to address the demographic problem that Scotland faces with the falling population and, more specifically, the fall in the working-age population. We shall be addressing the issue of the aging

population next week in Parliament, but it is useful to hold a discussion on the committee's report and on the fresh talent initiative today.

The distinction between the falling population and the falling working-age population is an important one. Although my Green colleagues in the Scottish Parliament are doing their bit to tackle the falling population, with no fewer than four births in the first half of this year alone—I have to admit that I have no intention whatever of adding to that total myself—we must recognise that the issue of our population's economic engagement is different to the issue of the size of our population.

Attracting new people to Scotland can be a positive thing, and one great change to the city of Glasgow over recent years has been the increasing diversity of culture, language, food and art, which are side benefits to the economic benefits that are sought. However, Glasgow has something else too. Phil Gallie may have left it until the fifth minute of a four-minute speech, but he eventually mentioned the fact that Glasgow also faces the problem of high levels of economic inactivity. I support the view of representatives from the Scottish Trades Union Congress who gave evidence to the committee that much more needs to be done to address that problem.

Although I accept that the fresh talent target of 8,000 people a year was indicative, I reiterate the figure, which has already been mentioned, of 688,000 economically inactive people in Scotland, however open to question that figure might be. Bringing some of those people into economic activity is not something that can be done easily or quickly, and I do not pretend that there are simple solutions to the problem. It will require the innovative use of powers that still reside at Westminster. Can we be sure that they will be exercised innovatively and in a way that is appropriate to Scotland's distinctive situation? Personally, I doubt it.

However, there is another group of economically inactive people in Scotland, and Jim Wallace and Linda Fabiani have mentioned them. Asylum seekers are economically inactive for no good reason, and most of them are prohibited from working. I stress that a mutual benefit could be gained by giving asylum seekers the right to work. There would be benefits to our economy as a whole and to sectors of our economy that are finding it difficult to attract workers with the right skills, but there would be benefits to the asylum seekers as well, whether they ultimately stay or leave and whether or not they gain refugee status. Can any of us—even those of us who have been unemployed for a long period of time—imagine the sense of prolonged stress, isolation and fear that comes from being an asylum seeker? If we imagine in addition to that the utterly frustrating

boredom of being unable to put one's skills to good use, we can begin to recognise how changing the situation and giving people the right to work while they are here is something that would provide great mutual benefit.

I know that I am short of time, but I want to mention another issue that Jim Wallace raised. The committee should be commended for saying something about the potential impact of the initiative on other countries, especially developing countries. If we gain skills for our economy at the expense of the economies of developing countries, we should be thoroughly ashamed of ourselves. We must ensure that any benefit to our country does not come at the expense of people in the world's most deprived countries.

16:20

Christine May (Central Fife) (Lab): I endorse the view that is expressed both in the European and External Relations Committee's report and in the Enterprise and Culture Committee's business growth inquiry report that the fresh talent initiative should be undertaken in addition to, but not instead of, work to exploit the unused fresh talent in the indigenous population.

I want to highlight two aspects of the initiative. The first, which has already been mentioned, is the role that Scottish networks international plays in attracting high-calibre graduates to Scotland's further and higher education institutions and supporting them to find employment with companies and organisations in Scotland. The second is the work of the ethnic minority employment team in Fife, which has recently carried out some highly innovative research to map the skills and qualifications of migrant workers, to examine the needs of employers and to match the skills with the needs. I would be happy to provide further information on that to the minister or to any other member who wished to find out about it.

It is important for Scotland's future that we continue to be an outward-looking and connected nation. Our international students play an extremely important part in the life of our nation and in helping to globalise Scotland, which many of them do when they return to their home countries. Last night I hosted an event for Scottish networks international, which was attended by representatives from the British Council, Scottish Enterprise, the Executive and Scottish Development International, as well as members and some 25 very bright young people from around 20 countries who are studying and working in Scotland. As Phil Gallie said, in the past 15 years SNI has helped more than 1,000 international businesspeople from more than 100 countries to come to Scotland to work. Many of

them have returned home to continue promoting Scotland.

As part of the fresh talent second year programme, there has been a large uptake of both undergraduate and postgraduate international students—the number of applicants has exceeded 1,500. The fresh talent initiative has given SNI a budget of some £75,000 a year for three years to provide and manage the work placements. Those funds should also enhance the experience of a further 200 overseas postgraduates. An important element of the scheme is that graduates can identify and take up high-quality work experience after graduation, particularly with large, global Scottish companies.

As part of the development of the thinking behind the scheme, I believe that there would be considerable merit in providing students with options that offered guaranteed work experience once their full-time studies had ended. That idea is embryonic, but it is worth developing, so I ask the minister whether he would be prepared to meet me and other people who are involved in such work—in particular, representatives from the enterprise network and the Enterprise, Transport and Lifelong Learning Department—to discuss matters further.

I also believe that to improve overseas students' access to the major companies, it is important that the fresh talent initiative and the work of Scottish networks international be promoted not just through the business gateway—as is the case at present—which deals with smaller enterprises, by and large, but through the account management folk in the local enterprise companies and in the headquarters of Scottish Enterprise in Glasgow. Again, I would be more than happy to discuss my thoughts about that with the minister and his team.

I am pleased to have participated in the debate, and I welcome the report and what the fresh talent initiative is doing for Scotland.

16:24

Colin Fox (Lothians) (SSP): As other members have said, the Executive's fresh talent initiative is aimed at halting Scotland's declining population, given the possible social consequences of present demographic trends. In short, the Executive's initiative is about keeping in Scotland people who would otherwise leave to go abroad and bringing people here who would otherwise go elsewhere.

In the context of the debate, it is important for us to recognise Scotland's rich tradition of inward migration. Our country has benefited from the arrival of people from Ireland, Pakistan, India, China, Africa, the Caribbean, Lithuania—I am thinking of the Lithuanians in Mossend—

Linda Fabiani: And Italy.

Colin Fox: And Italy. Members can add their country of choice to the list. I understand that 10 per cent of the population of Edinburgh is now English—as is 50 per cent of my household.

It is clear that Scotland can and has accrued great benefit from the inward migration of new citizens, both economically and culturally. I am struck, however, as other members must also be, by the contradiction between what is being said in this debate and what was said in the recent debate on asylum and immigration policy. On the one hand, Scotland is trawling the world, at jobs fairs and elsewhere, for talented people who want to live and work in Scotland; people who will contribute to making Scotland a more economically successful place. There is nothing wrong with that. We are also enticing overseas students to settle in this country once their studies are over. Again, that is a good thing. On the other hand, we seem intent on asking people to leave the country, and doing that in quite an inhumane way. We have debated the situation at Dungavel, the protocol between the Home Office and the Executive on asylum and the situation of families, including the Vucaj family, who have been asked to leave the country.

Last Thursday evening, I shared a platform at a public meeting in Dalkeith with John Ragwar from Penicuik, who faces deportation any day. John came to Scotland to study in Edinburgh. He fell in love with the country, married a Scottish woman and has raised two fine boys. Despite his talents, which are clear and abundant, he is about to be separated from his family and shipped back to Kenya. The people of Penicuik are being robbed of a fine, upstanding member of their community. Instances such as that make a mockery of the entire fresh talent initiative, with all its talk of attracting a net annual increase of 8,000 people.

Scotland rightly welcomes people from Poland and eastern Europe who come here. I am glad to see many of them in the course of my work in the Lothians. Last autumn, I met a group of Polish people in West Lothian on the FirstGroup bus drivers' picket line. Many of the Polish drivers I spoke to told me that their pay and conditions were different from those of the other drivers who worked for the company. The committee's report rightly highlights the dangers of that practice, which are all too obvious. Not only is such practice unjust, but the danger is that local labour rates may be undercut as a result of people being brought into Scotland to do jobs at lower rates of pay. Linda Fabiani and the committee rightly highlighted the important role of the Scottish Agricultural Wages Board in this regard. All too often, as we have seen over recent years,

agricultural workers have suffered from exploitation.

I turn to the issue of Scotland's economically inactive—the 688,000 people who are mentioned in the report—and how to get them back to work. The key is to encourage, persuade and offer people attractive incentives that will encourage them to come off benefits and retrain for work, as the STUC, the Scottish Food and Drink Federation and Highlands and Islands Enterprise pointed out. If we were to do that, we could go a long way towards solving the central dilemma in the debate.

The approach that I would take would see people being given the help that they need. Instead of forcing people off benefits, they should be offered incentives and helped back into work. In terms of the debate, those people offer a unique additional advantage; one that is right under our noses. With the right approach, their return to the labour market could form part of the solution to the problem that we are all trying to grapple with.

16:28

John Home Robertson (East Lothian) (Lab):

Fresh talent is an excellent initiative. I am glad that, over the course of the debate, all parties have acknowledged that point. It is part of the solution to an alarming demographic problem and our First Minister should be congratulated on having had the political courage to launch this policy. I welcome the fact that the Home Office has agreed to work with our Executive to attract people to Scotland; we need more people who will live and work in this country.

That said, I must offer a cautionary tale. Some employers out there have different motives in their employment of foreign workers. I want to make a further appeal—I have done this before—to the Executive and to UK agencies to be far more vigilant in their enforcement of employment legislation and the national minimum wage, especially if firms employ foreign workers. Paragraph 74 of the committee report raises that point and Linda Fabiani referred to it.

In recent years I have become extremely worried about the situation at the Monaghan Mushrooms farm at Fenton Barns, in my constituency. I have met the workers and the management, I have repeatedly asked the Scottish Agricultural Wages Board to intervene, I raised the issue in the Parliament and I met Ross Finnie to discuss the situation on 18 May 2005. In a nutshell, an Ireland-based company has got rid of a local workforce of nearly 200 people by what might be regarded as a policy of contrived redundancies. I understand that most of the remaining local staff were under pressure to leave last week. That local workforce has been replaced

by people from Ukraine and other parts of eastern Europe. The new workforce is made up of talented and hardworking people, but those people are perhaps the victims of suspect employment practices. There is concern about very long working hours and unattainable production quotas and there is doubt about whether the workforce is being paid the national minimum wage by the Monaghan companies or by gangmaster agencies—not to mention concern about deductions for agency fees. Perhaps shoppers should be aware of that aspect of the price of cheap supermarket mushrooms. I know that the Scottish Agricultural Wages Board has found it difficult to deal with the complicated trail of company records on the island of Ireland and I fear that competing involvement by different agencies of the Home Office and the Department for Work and Pensions might make it easy for a clever company to duck and weave. However, many of my constituents have lost their low-paid jobs and appear to have been replaced by vulnerable foreign workers, who are doing more work for even less pay. There is a name for that sort of practice, which certainly does not fit with the First Minister's ideas about employing fresh talent from overseas.

If we are serious about attracting good foreign candidates to fill job vacancies in Scotland, we must ensure that all employees are treated fairly. I am extremely worried about the local and foreign victims of what seems to be going on at Fenton Barns. Apart from the distress that is caused by job losses and bad employment conditions, we should recognise the risk of racial friction. I am disgusted by a suggestion that the British National Party might be taking an interest in the Monaghan workforce.

I strongly support the fresh talent initiative and I am glad that members of all parties endorsed the initiative, which is right for Scotland and for potential new Scots. However, I ask the Executive to underpin its excellent initiative with vigilant and effective measures to deal with the risk of bad employment practices and to protect vulnerable foreign workers against exploitation by bad employers. We must ensure fair conditions for all employees in Scottish workplaces. There must be fair conditions for mushroom pickers and catering staff as well as for dentists and bus drivers. The experience at Fenton Barns is worrying and we must do better.

16:32

Lord James Douglas-Hamilton (Lothians) (Con): I have every sympathy with what John Home Robertson said. I welcome the European and External Relations Committee's report on the fresh talent initiative. Many important points have

been made in the debate about issues of concern for Scotland, not least how best to secure her economic development and cultural diversity.

Jim Wallace made one of the most important points when he talked about people from overseas who come to Scotland as students and do not necessarily go home. There is considerable evidence from Scottish networks international that graduates can gain work experience and financial benefit by working for a limited period in this country and that when such people go home about two years after graduation they bring substantial benefit to their home countries. Scotland also benefits from the building of links and bridges. We should consider the approach with sensitivity and care, but it has been demonstrated that there can be, is and should be a two-way benefit. Not only does Scotland benefit but the graduates' home countries benefit.

According to the registrar general for Scotland, Scotland's population is expected to fall below 5 million in about 30 years' time. It is estimated that by 2031 the number of people aged 75 or over will have increased by 75 per cent, which could present Scotland with a significant economic problem. It is only right that we take steps to address the matter and the fresh talent initiative is the Scottish Executive's response. As we heard, the scheme involved the setting up of a relocation advisory service and a programme to allow international students to apply to stay on in Scotland for two years. In the first seven months of the scheme, more than 1,500 applicants from more than 75 countries were successful. The fresh talent scheme will be subsumed under tier 1 of the United Kingdom Government's proposed new points-based immigration system, which will allow highly skilled migrants to seek residency after two years.

According to the Scottish Executive, specific Scottish flexibilities have been secured under the new system, one of which is the shortage occupation list, which will be produced for Scotland by the UK skills advisory body. Perhaps the minister, when he sums up, will kindly confirm that, in Scotland, the qualifying period for residency will be reduced for the top two tiers of the immigration points system—the highly skilled and skilled. Will the minister say what that will mean in practice?

The committee has made a range of recommendations, including that more must be done to mobilise Scotland's existing talent pool to the fullest extent, with particular attention to the estimated 688,000 people in Scotland who are currently economically inactive. It is clear that Scotland needs more skilled migrants. We should bear it in mind that only 4 per cent of immigrants to the United Kingdom apply to come to Scotland.

We must build on a strong economy to create dynamic and well-paid jobs with a level playing field for small businesses. However, we must do more than that: we need to attract talent from overseas and retain a substantial proportion of graduates to work and stay in Scotland, especially those who are ready, willing and able to make a substantial contribution. I welcome the report.

16:36

Mr Kenny MacAskill (Lothians) (SNP): The Scottish National Party welcomes the report. I would not go as far as John Home Robertson and say that the fresh talent initiative is an excellent scheme, because it has flaws, but we welcome the Executive's recognition of the demographic problem that Scotland faces and the requirement for innovative solutions to address it. Charlie Gordon is correct that we are in a fluid situation. In recent years there has been a change in the demography to our benefit, but a substantial problem remains. However, in recent months, there has been a change at UK level—Charles Clarke's proposals will to an extent trump whatever significant advantage we have gained through the fresh talent scheme, as will the proposals for a UK green card scheme. We must catch up with that underlying movement.

The European and External Relations Committee report raises valid points and numerous points have been made in the debate with which we agree. We agree that we must not seek our nation's advantage to the great danger of nations in the third world and that we should not ignore the skilled indigenous people who currently languish in the west of Scotland and elsewhere. We have far too many people who are economically inactive. They are a loss to the nation and are not achieving all that they can. The committee correctly pointed out that asylum seekers have a contribution to make but are restricted in making it. That must be addressed.

When I considered my comments for the debate, I had not thought that there would be a great deal of synergy between the two committee debates this afternoon. One was initiated by the Justice 1 Committee, on the European Union, and the other was from the European and External Relations Committee, on the fresh talent initiative. However, there is a synergy, because both involve a recognition that we live in a global economy. Our opposition to the European Union proposals in the first debate was based on the argument that they will undermine what is best for Scotland. The present debate is about allowing Scotland the best economic and social advantages.

We live in a global economy in which capital and labour are mobile. If people choose to go and work elsewhere, we cannot keep them. If a person

graduates from university and prefers the bright lights of Barcelona to the joys and delights of Bathgate, we cannot hold them back. We have to give our indigenous talent a reason to stay, but we must also compete on a global basis for other talent. We must have the opportunity to encourage others to come and work here. For generations, Scotland has been denuded of skilled men and women. We had trade fairs the length and breadth of our country that encouraged people from the Clyde, Leith and wherever else to take their skills to the new world, whether New Zealand, the United States or elsewhere. We could not stop those people seeking to better themselves.

We have an opportunity to build upon the fresh talent initiative to create an indigenous green card scheme. I welcome the First Minister's trip to Australia. I hope that he recognised, in signing a concordat with the state of Victoria, that that state has a system under which it can specify and pursue individuals whom it wants to come to the state. Victoria can get the advantages that it needs.

Such a system could be added to the current fresh talent initiative, which will clearly have to change as a result of events south of the border. Perhaps we could morph that system into a green card scheme. It is not only Victoria that has such opportunities—other states, such as New South Wales, Queensland, Tasmania, Western Australia and South Australia are firing ahead. Scotland must have the opportunity not only to have a fresh talent scheme, but to go out and locate the skilled workers who are necessary if our society is to compete in a global economy.

16:40

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): I am pleased to speak in the debate. Probably every member would agree that an hour is not long enough to do justice to the fresh talent initiative. Many members have made good speeches on the different issues that were raised in the committee's report. Perhaps two and a half hours in which to explore issues in more depth would have been better. Nevertheless, I will deal with some of the issues that have been raised and respond to the committee's report and its recommendations.

The fresh talent initiative is a key priority for the Scottish Executive because Scotland has a declining and aging population, which leaves fewer working-age people to contribute to our economy. However, as Phil Gallie rightly pointed out, Scotland is not the only area in the United Kingdom whose population is projected to decline, and members have mentioned that recent projections from the registrar general indicate that

the decline is nowhere near as steep as some doom-and-gloom merchants would have us believe.

The fresh talent initiative aims to attract to Scotland bright, talented and hard-working people who can make a positive contribution to our economy and society. There is widespread support among members for that objective. The focus of the initiative is on bringing people to Scotland to live, learn and work. However, I will be clear: the fresh talent initiative is only one strand—albeit an important strand—of our activities to address Scotland's demographic challenge. The Executive is doing many other things to ensure that Scotland has a thriving economy and a dynamic and diverse population.

First, I will address the perception that we are neglecting the needs of the local population by promoting the fresh talent initiative. Nothing could be further from the truth. The initiative specifically focuses on attracting and retaining bright and talented people to Scotland. Jim Wallace and the convener of the European and External Relations Committee, Linda Fabiani, mentioned the employability framework. That framework will be published in the very near future during the spring. I am sure that they will welcome it and that they will examine its role in ensuring that people who are economically inactive get the opportunity to return to work and to contribute to the Scottish economy.

Other parts of the Executive and Westminster are working hard to ensure that we maximise the opportunities for people who already live in Scotland—I am sure that members of all parties support that work. In our response to the committee's inquiry report, we described how the fresh talent initiative complements rather than replaces such important work.

Several members mentioned the concern that, by attracting talent to Scotland, we are depriving vulnerable developing countries of the talented people whom they need to grow their economies, but that is simply not the case. We promote Scotland and the fresh talent initiative abroad, but we do not—and will not—target those countries as sources of permanent migration. That does not mean that talented people should never study or train overseas. The opportunity to do so can provide valuable experience that can bring benefits to their home countries when they return to them.

Patrick Harvie: Will the minister give way?

George Lyon: I am very short of time, but I will take a short intervention.

Patrick Harvie: I accept that the minister will not in the short time that is available be able to flesh out in more detail the reassurances that were

given to the committee on the use of monitoring processes to prevent what he has described from happening, but will he undertake to give more information about that monitoring process in the near future?

The Deputy Presiding Officer: I will compensate the minister for taking that intervention.

George Lyon: I am happy to endorse the commitments that my colleague Mr McCabe gave to the committee on that matter.

Scotland has a reputation as a provider of world-class education. I hope that students from developing countries who are looking to spend a few years broadening their horizons will continue to opt for Scotland as a destination. Their doing so would be to the benefit of Scotland and their home countries.

We have heard much today about whether people who are seeking asylum should be able to work while their claims are being considered. This is not the first time the issue has been raised. The Scottish Executive has regular meetings with the Home Office to discuss asylum issues and how they affect Scotland, so the Home Office is aware of the concern in Scotland. Nevertheless, immigration and asylum policy is reserved to Westminster so it is for the Home Office to determine policy on it.

In its report, the European and External Relations Committee expressed an interest in how the Executive was feeding into the Home Office's review of the system for managed migration. Today's debate is timely, following the publication last week by the Home Office of "A Points-Based System: Making Migration Work for Britain". As well as setting out in more detail how the points-based system will work at UK level, the paper lists some of the key Scottish flexibilities that will help to progress the fresh talent initiative. The final package deals us a strong hand when it comes to attracting the best talent to Scotland and keeping it here.

I turn to some key facts and figures about the fresh talent initiative. Members have heard them before, but they are worth repeating. Since October 2004, 8,700 customers from 135 countries have received advice from the relocation advisory service; there have been 1,500 successful applicants to the fresh talent working in Scotland scheme since its launch in June 2005—25 per cent of the overseas students who are eligible to apply; and there have been about 250,000 visitors to www.scotlandistheplace.com. There is a huge level of interest around the world in Scotland as a place to live, work and study. The fresh talent initiative will continue to build on that success, which is an important strand of the long-

term challenge of building a strong, successful and sustainable Scotland for the future. I look forward to the European and External Relations Committee's continuing interest in the matter.

The Deputy Presiding Officer: You can be grateful to Mr Scott for his negotiating skills on your behalf.

16:47

Irene Oldfather (Cunninghame South) (Lab): I am privileged to wind up on behalf of the European and External Relations Committee. The committee embarked upon the inquiry following one of its away days. John Home Robertson was an enthusiastic supporter of an inquiry into the fresh talent initiative. It was our intention at that time to have a short, sharp and focused inquiry. In the end the inquiry took five months; we held seven oral evidence-taking sessions and considered a large number of written submissions. I express the committee's thanks to all those who contributed significantly to our oral and written deliberations. Our inquiry was concluded in November, but it is clear from today's debate that even in that time things have moved forward considerably and that this is a work in progress.

As Linda Fabiani mentioned, one of the features of fresh talent that the committee recognised was that it was a project for the long term. I note from the Executive's response to the committee that its intention is that the project will be flexible and adaptable, and that it will evolve over time. That is important as long as—as the committee's report requested—the direction and expectations are clear and the results are audited and measured. That is a matter to which Jim Mather referred. It is important that we pick up on the statistical significance of auditing and monitoring so that we can establish how the project should change over time.

The fresh talent initiative may have begun as a response to demographic factors, but it has grown, evolved and developed. It has given us a unique sense of identity, and pride and confidence in being a multicultural Scotland. Today's debate has shown that the committee's comments on mainstreaming fresh talent across portfolios are valid. It is evident from members' speeches that the initiative is key to our economic success, to a smart successful Scotland, to our cultural diversity, to our attempts to promote Scotland worldwide as a place to live and work and to furthering our further and higher education sectors and investment in skills development.

Members have identified some excellent examples of good practice. Charlie Gordon spoke about the importance of having a successful marketing strategy in eastern Europe and

highlighted the successful and commendable efforts of Glasgow City Council to integrate migrants into local communities. Christine May identified the good practice and benefits of the projects that are being undertaken by Scottish networks international, under the umbrella of the British Council.

However, as we have also heard today, there are areas in which progress is still to be made. Linda Fabiani and John Home Robertson identified the problem of exploitation of workers, which was of some concern to the committee during its deliberations. A proactive approach to supporting incoming workers, especially the low-skilled workers about whom John spoke this afternoon, is required.

Phil Gallie: I will say something positive about Europe and the 74 million people who have been added to the European Union since the most recent accessions. Does it worry the member that only 4 per cent of those who have come to the UK from Europe have come to Scotland?

Irene Oldfather: I am delighted that Mr Gallie has something positive to say about Europe. I am not sure that his figures are absolutely correct, so I will withhold judgment on the issue that he raises. However, it is important that we do everything we can to continue to encourage people from eastern Europe to make the contribution to the Scottish economy that we all want them to make.

Phil Gallie and Jim Wallace reflected on the issue that I want to raise next—how we increase the number of economically active people in Scotland and retain talent here. It is vital that we build on the good start that has been made in that area.

Early in the debate, Jamie Stone asked about language skills. On that, the committee identified some good practice by FirstBus. The member's point related to local authorities, but the committee was keen to encourage employers to take charge of language training for workers. We would like that to be developed.

Jim Wallace and Patrick Harvie raised another issue that is important, especially on Commonwealth day. During the inquiry, we asked the Executive to reflect on the recruitment of workers from developing countries. I am happy to say that in its response to our recommendations the Executive assured us that there will be a code of practice for recruitment of health care professionals that will expressly forbid recruiting from sub-Saharan Africa. The minister has confirmed that today. It is important that that point be made. I was staggered to find out that there are more Malawian doctors in Manchester than there are in Malawi. The Executive's commitment on that issue is well-founded.

Kenny MacAskill referred to the pan-European situation. We are not alone in Europe in facing the challenges that the fresh talent initiative is seeking to address. However, in my experience, we are at the forefront of policy development to provide solutions to those challenges. I firmly believe that mainland Europe is looking in our direction to learn lessons from our innovative approach.

It is clear from this afternoon's debate that this is by no means the end of our deliberations on fresh talent. I am sure that the committee and the Parliament will watch this space closely and will return to the matter to monitor progress. The commitment that all parties that are represented in the chamber have shown this afternoon demonstrates that we want, as Colin Fox said, to be a forward-looking and outward-looking country that is open and welcoming to incomers, and that we see ourselves as benefiting from and being enriched by a multicultural, multi-ethnic society. That is a measure of how Parliament is impacting positively on Scottish society and the Scottish economy and of how, perhaps, we are maturing as a Parliament.

I am happy to support the motion in the name of Linda Fabiani.

Company Law Reform Bill

16:54

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-4109, in the name of Cathy Jamieson, on legislative consent to the Company Law Reform Bill, which is UK legislation.

Motion moved,

That the Parliament agrees that the relevant provisions of the Company Law Reform Bill, introduced in the House of Lords on 1 November 2005, which will legislate in devolved areas in respect of sole traders, accounting standards and audit for charitable companies and which will alter the executive competence of the Scottish Ministers to allow them to issue guidance to regulatory enforcers and to specify companies to be audited by the Auditor General for Scotland, should be considered by the UK Parliament.—
[Cathy Jamieson.]

The Presiding Officer: The question on the motion will be put at decision time.

Motion Without Notice

16:55

Dennis Canavan (Falkirk West) (Ind): On a point of order, Presiding Officer.

I lodged an amendment to the Parliamentary Bureau motion that we are about to debate. My amendment may or may not be called for debate. I might not have to move my amendment if you can assure me that the Scottish Parliamentary Corporate Body will continue its search for better temporary accommodation for the Parliament and that it will endeavour to ensure that the costs are met by those who are responsible for the collapse of the beam in the chamber.

The bureau's motion, if it is passed, will mean that more than 30 per cent of members will be deprived of a seat in the committee room. I say also that £16,000 seems to be an awful lot of money for flitting from one room to another in the same building. I believe that there are other options that the corporate body should consider, including the Church of Scotland Assembly Hall, the old Royal High school building, the old Scottish Parliament building on Parliament Square or Holyrood Palace, which is right on our doorstep and which lies empty for most of the year. [*Interruption.*]

The Presiding Officer (Mr George Reid): Order. Mr Canavan is making an important point, and we should hear him in silence.

Dennis Canavan: I would be grateful for an assurance that the Scottish Parliamentary Corporate Body will continue to look for other options and that it will report back to Parliament in due course.

The Presiding Officer: On behalf of my SPCB colleagues, I can give Dennis Canavan those guarantees.

It might also be helpful if I give a little bit of background. All contingency planning for Parliament's moving out of the chamber was based on a Parliament of 129 members sitting in plenary session in a room such as this. Months of planning and preparation went into making the Hub ready. It is because of that pre-planning that we have been able to operate here remarkably smoothly—my thanks go to our staff for that.

Of course, we do not have access to the Hub next week. We will try to do the following. We gain four weeks, in reality: we have two weeks in committee rooms 2 and 6, then we have two weeks of Easter recess. During that time—hopefully, starting tomorrow—we will get information from Ove Arup & Partners on what went wrong, how it is to be fixed and how long that will take.

If—I stress the “if”, because I do not know—on the far side of that, we need other accommodation, two things can happen. Which one will happen will be decided by Parliament on a Parliamentary Bureau motion. We might find that committee rooms 6 and 2 operate reasonably satisfactorily. Alternatively, we might find that, in the circumstances, we require larger accommodation. That would mean not a peripatetic arrangement, going up and down the Royal Mile from Holyrood, but our meeting somewhere closer. We are considering that. I assure Mr Canavan that all the places that he named have been and are being considered. The decision will be for the Parliament.

In terms of money, Mr Canavan will remember that, right at the start of this saga, I said that we had five priorities. The first priority was safety—that had to come first. The second was getting back to business. So far, we have not lost a single moment of parliamentary business. The third priority was to find out what is wrong, which is what Arup is engaged in at the present time. Once we know what is wrong, we can proceed with putting it right, and we will know how long that will take.

I have always said that there is a fifth priority, which is liability. I assure members—I have been very clear about this throughout my time as Presiding Officer—that the public purse is important. We and our lawyers will do everything that is humanly possible to redeem the costs to the public purse.

I hope that you find that satisfactory, Mr Canavan.

The Minister for Parliamentary Business (Ms Margaret Curran): I wish to move at short notice that Parliament consider a motion, on behalf of the Parliamentary Bureau, to enable meetings of the Parliament to take place in committee rooms 2 and 6 until the end of this month.

The Presiding Officer: Members have that Parliamentary Bureau motion before them, and I am certainly minded to accept the minister's request. Are we all agreed?

Members: Yes

Motion moved,

That the Parliament agrees under Rule 2.7.2 that the Parliament shall meet in Committee Rooms 2 and 6 of the Parliament at Holyrood as recommended by the Scottish Parliamentary Corporate Body until 31 March 2006.—[*Ms Margaret Curran*].

The Presiding Officer: I very much hope that my reassurances mean that you do not wish to move your amendment, Mr Canavan.

Dennis Canavan *indicated agreement.*

The Presiding Officer: Thank you very much—I am grateful for that.

Decision Time

16:59

The Presiding Officer (Mr George Reid): There are six questions to be put as a result of today's business.

The first question is, that motion S2M-4128, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: I hear a "no" from Mr Sheridan. There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 Baker, Richard (North East Scotland) (Lab)
 Ballance, Chris (South of Scotland) (Green)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West) (Ind)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 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)
 Kane, Rosie (Glasgow) (SSP)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)

Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Campbell (West of Scotland) (Ind)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

AGAINST

Byrne, Ms Rosemary (South of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)

ABSTENTIONS

Matheson, Michael (Central Scotland) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)

The Presiding Officer: The result of the division is: For 95, Against 2, Abstentions 2.

The decision to meet in committee rooms 2 and 6 is endorsed by 95 members present and voting today.

Motion agreed to.

That the Parliament agrees under Rule 2.7.2 that the Parliament shall meet in Committee Rooms 2 and 6 of the Parliament at Holyrood as recommended by the Scottish Parliamentary Corporate Body until 31 March 2006.

The Presiding Officer: The next question is, that amendment S2M-4095.1, in the name of Tommy Sheridan, which seeks to amend motion

S2M-4095, in the name of John Scott, on appointment of the Scottish Parliamentary Standards Commissioner for a second period, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Grahame, Christine (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Martin, Campbell (West of Scotland) (Ind)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)

McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robson, Shona (Dundee East) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Fabiani, Linda (Central Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Ingram, Mr Adam (South of Scotland) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Matheson, Michael (Central Scotland) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Presiding Officer: The result of the division is: For 12, Against 77, Abstentions 12.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S2M-4095, in the name of John Scott, on appointment of the Scottish Parliamentary Standards Commissioner for a second period, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (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)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Mather, Jim (Highlands and Islands) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scott, John (Ayr) (Con)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

AGAINST

Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)

McFee, Mr Bruce (West of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Swinney, Mr John (North Tayside) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Harvie, Patrick (Glasgow) (Green)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Matheson, Michael (Central Scotland) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)

The Presiding Officer: The result of the division is: For 67, Against 17, Abstentions 16.

Motion agreed to.

That the Parliament agrees with the recommendation of the Scottish Parliamentary Corporate Body under Rule 3A.1.2 of Standing Orders that Dr James Dyer should be appointed for a second period as the Scottish Parliamentary Standards Commissioner with effect from 1 April 2006.

The Presiding Officer: The next question is, that motion S2M-4088, in the name of Pauline McNeill, on European Commission green papers on applicable law in divorce and succession and wills, be agreed to.

Motion agreed to.

That the Parliament notes the concerns raised by the Justice 1 Committee in relation to recent European Commission Green Paper proposals on applicable law in divorce and succession and wills; agrees that the proposals are not in the best interests of the people of Scotland, and, in light of the Committee's views that these proposals are fundamentally flawed and unnecessary, calls on the Scottish Executive to urge the UK Government not to opt in to any draft European Community instruments which emerge following the conclusion of these consultation processes.

The Presiding Officer: The next question is, that motion S2M-4110, in the name of Linda Fabiani, on the Scottish Executive's fresh talent initiative, be agreed to.

Motion agreed to.

That the Parliament notes the 4th Report 2005 (Session 2) of the European and External Relations Committee, *Report on an Inquiry into the Scottish Executive's Fresh Talent Initiative Examining the Problems It Aims to Address, Its Operation, Challenges and Prospects* (SP Paper 448).

The Presiding Officer: The final question is, that motion S2M-4109, in the name of Cathy

Jamieson, on the legislative consent motion on the Company Law Reform Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to.

That the Parliament agrees that the relevant provisions of the Company Law Reform Bill, introduced in the House of Lords on 1 November 2005, which will legislate in devolved areas in respect of sole traders, accounting standards and audit for charitable companies and which will alter the executive competence of the Scottish Ministers to allow them to issue guidance to regulatory enforcers and to specify companies to be audited by the Auditor General for Scotland, should be considered by the UK Parliament.

Commonwealth Day 2006

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S2M-4060, in the name of Sylvia Jackson, on Commonwealth day 2006. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises the valuable role of the Commonwealth in strengthening relationships between nations across the world; welcomes the continued contribution of Scotland and its people to those relationships; reaffirms its support for the work of the Commonwealth Parliamentary Association (CPA); notes that this year the CPA Scotland Branch and the Scottish Executive have, as a key focus, continued to develop relationships with Malawi; notes Scotland's longstanding work, particularly in the area of health, throughout the Commonwealth, and commends the theme of Commonwealth Day this year, "Health and Vitality – the Commonwealth Challenge", which highlights the relevance of health, as illustrated in the United Nations Millennium Development Goals.

17:06

Dr Sylvia Jackson (Stirling) (Lab): I welcome to the public gallery a large number of people from a wide variety of organisations that are either connected directly with, or have an interest in, the Commonwealth. They include people such as Tracey Morse-Thomson, whom the Scotland branch of the Commonwealth Parliamentary Association delegation met while members were in Malawi last month. I look forward to meeting many others, who could not be squeezed into the Hub this evening, at the reception and presentation after this debate in the Scottish Parliament's committee room 1 when we will try to describe the CPA delegation's visit to Malawi in February.

Today's debate is one of the Scottish Parliament's contributions to celebrating Commonwealth day 2006. It goes without saying that the Commonwealth has an important role in continuing to strengthen relationships between nations throughout the world. The Commonwealth games, which opened yesterday in Melbourne, follow the tradition of being called the friendly games. Scotland and its people have an on-going role in contributing to those good relations.

As MSPs, we are all members of the Commonwealth Parliamentary Association. Approximately two years ago, the Scotland branch of the CPA decided to concentrate its work on Africa and on Malawi in particular because of the strong historical links between the two countries that go back to the early missionaries David Livingstone and Robert Laws, to mention but two. On our recent visit to Malawi, we met a lady whose grandfather had come face to face with

David Livingstone. At Bandawe Makuzi church, they still keep in a plastic bag the priest's robes that David Livingstone wore.

With the Scottish Executive, the CPA Scotland branch continues to develop relationships with Malawi, and I was privileged to lead the recent CPA Scotland branch delegation there. I can only describe it as a life-changing experience and I am sure that other delegates will say similar things.

The United Nations millennium development goals, agreed in September 2000 by 189 UN member states, are so important to our debate today. There are eight goals, some of which are concerned with health, which is the focus of Commonwealth day 2006, and they link directly to the wider issue of poverty.

The millennium development goals that are pertinent to health issues are: reducing child mortality; improving maternal health; and combating HIV/AIDS, malaria and other diseases. The theme of Commonwealth day 2006 is health and vitality—the Commonwealth challenge. That was certainly well chosen, as it highlights the importance and relevance of such issues, particularly in Malawi.

Malawi has a population of almost 12 million, almost half of whom are under 14 years old. Life expectancy is 37 years, compared with 41 years in Africa generally. It has the highest level of maternal mortality in the southern hemisphere, with 1,800 to 2,000 deaths for every 100,000 births—the figure in this country is 12 deaths for every 100,000 births—and, with regard to infant mortality, there are 104 deaths per 1,000 births. The number of children dying before the age of five is 25 times higher in sub-Saharan Africa than it is in the member states of the Organisation of Economic Co-operation and Development.

Moreover, it is estimated that 14.2 per cent of the population—almost 1 million people—live with HIV/AIDS. MSPs have received a briefing sheet from Oxfam that contains some very interesting facts. For example, 70,000 people die each year from AIDS-related causes, and 760,000 adults and 70,000 children are infected. It was pointed out in this morning's make poverty history debate that, since the epidemic began, an estimated 850,000 children in Malawi have been orphaned. AIDS cuts down people in the prime of their productive years, leaving a growing number of families with one or both parents unable to support themselves, and the situation in Malawi is made worse by severe food shortages. Worst affected are the people who are chronically ill with HIV/AIDS, because they are unable to work and any money that they have is spent on health care.

Other major infectious diseases include typhoid, malaria and plague, among many others, and the

overall degree of risk is very high. I should point out that one major issue is the number of doctors and nurses. One very depressing fact is that, with one doctor for every 117,000 people, Malawi has the lowest number of doctors in the world.

Dr Jean Turner MSP, who was in the recent delegation to Malawi, had hoped to be here tonight to say more about some of those health issues. Unfortunately, she is ill and unable to attend the debate. Had she been here, she would no doubt have mentioned the mission hospitals at Ekwendeni and Mulanje, and in particular the work that is being carried out at Mulanje on nutrition clinics and gardens in a bid to help the situation. I am sorry that Dr Turner cannot attend the debate, but I know that other members of the delegation will talk about the clinics, the hospitals and the colleges of nursing and the links that we are developing between them and Scottish institutions such as Bell College, Glasgow Caledonian University and the University of Edinburgh.

It would be remiss of me not to highlight the main focus of the visit, which was to build links with the Malawi National Assembly at a number of levels and to consider areas such as governance, institutional management, participation and training opportunities. More specifically, we hoped to gain first-hand knowledge of the National Assembly's progress on its parliamentary reform programme; to acknowledge its particular problems; and to share knowledge and experience of mechanisms for ensuring accountability and parliamentary oversight.

It is hoped that some longer-term outcomes of the visit might include assisting members of the National Assembly and officials in considering good practice with regard to democratic governance and strengthening the institution of Parliament; helping with the training of committee clerks and other parliamentary staff and with transparency and accountability in the parliamentary decision-making process; and strengthening links between members in both countries. Karen Gillon will say more about her own on-going links and sharing of good practice, and I am sure that she also will talk about how we can build links in both countries via the cross-party group on Malawi.

As we are concentrating tonight on the Commonwealth and the importance of health and vitality, I want to congratulate Caitlin McClatchey and David Carry on their stunning gold medal wins on the first day of the Commonwealth games. I also congratulate Dennis Canavan and Karen Gillon, who did well in lodging motions on those successes.

Finally, I wish every success to Glasgow's bid for the 2014 Commonwealth games.

17:15

Lord James Douglas-Hamilton (Lothians) (Con): I warmly welcome Sylvia Jackson's enlightened motion and her speech tonight. Her motion highlights the continued contribution of Scotland and its people to nations across the world and it reaffirms the Parliament's support for the work of the CPA Scotland branch.

As it happens, one of my sons is working in Africa. He tells me that poverty is so great that it is almost obscene to hear people in this country talk about the latest designer fashions when such matters are beyond the ken of most people in the continent of Africa. Of course, the answer to that is that everything is relative. I am reminded of the statement of the father of the Indian nation, Mahatma Gandhi, who said:

"It is health that is real wealth and not pieces of gold and silver."

We in this Parliament can make a difference and help to make a contribution by developing a strong understanding and a helpful relationship with Malawi. I refer not just to my friend Ted Brocklebank's donation of many of the best sets of St Andrews golf clubs ever delivered through the diplomatic bag but to the successful trip to Malawi by CPA Scotland branch delegates in February last year. The subsequent signing of a co-operation agreement between Scotland and Malawi in November has allowed us to continue to develop those relationships and to foster an important partnership for the exchanging of skills and expertise.

One of the most important areas of common interest, in which Edinburgh has for long excelled, is the development of skills to protect the health of nations. The theme of this year's Commonwealth day is health and vitality—the Commonwealth challenge. Currently, two thirds of the 40 million people who live with HIV and AIDS are Commonwealth citizens, and nine of the most heavily infected countries are in the Commonwealth. In addition, each year in the Commonwealth, some 500,000 women die in pregnancy or childbirth. It is believed that many of those deaths could be prevented by higher standards of health care.

There is an old saying that prevention is better than cure. In today's world, prevention has never been more important. In order to help others, it is vital not just to make health care accessible but to enable developing nations to absorb the most significant basic principles of health care through education and training.

Good health and vitality are also developed in the context of sport. Taking part in sport can play a big part in developing health and fitness, one's ability to work in a team and the capacity for

human endurance. As I mentioned, I am glad to see Malawi develop its interest in golf and in many other sporting pursuits.

We are right to support the CPA, which has the vision to influence Governments by highlighting the ways in which they can help others. With mutual co-operation from our global neighbours, we must work hard to drive back the frontiers of poverty, ignorance and disease so that we help citizens to enjoy longer lives and a higher quality of life. In general, we must make the world not just a wonderful place in which to live but one that is enjoyable as well.

17:19

Alex Neil (Central Scotland) (SNP): I congratulate Sylvia Jackson on securing tonight's debate and on the excellent way in which she led last month's delegation to Malawi, of which I was a member. I also put on record the delegation's gratitude to Roy Devon and Margaret Neal for their first-class support both in our preparations beforehand and while we were in Malawi. I apologise to the Deputy Presiding Officer for my having to leave for a constituency engagement after my speech, although I do not make a habit of leaving debates in which I am a participant.

I am probably one of the fiercest critics of Executive policy, but I stand four-square behind the First Minister in his policy of trying to re-establish the special relationship between Scotland and Malawi. The resounding message that we received every day of the week of our visit was about the warm feeling that exists towards Scotland because of everything that our predecessors have done to help the people of Malawi and the surrounding countries in that part of Africa. Indeed, the first lady whom I met at a reception on the Friday evening when we arrived had a good old Scottish name—Molly. From then on, it was almost like being in Scotland.

I say to the Executive that we have to look to the medium and long terms in this relationship. Consideration should be given to the establishment of a permanent representative in Lilongwe to facilitate that relationship and to help to co-ordinate and support the on-going and developing special relationship between Malawi and Scotland.

Until I went to Malawi, at the encouragement of my good friend Michael Matheson, I had absolutely no idea how bad poverty and deprivation were there. In schools, the kids sit on bare floors; there are no desks in any of the schools that we visited; there are no pencils, no rubbers and no paper; there is only the teacher and, sometimes, a blackboard and something to write on it with. That is how poverty stricken the

education system is in Malawi, but the classes are full. Sometimes they contain 120 pupils—very enthusiastic young people who are desperate to learn and to be educated. One of the great tragedies is that the number of teachers who are dying of HIV/AIDS each year exceeds the number of teachers who are coming through the teacher-training colleges. Not only is Malawi unable to catch up, it is unable to stand still.

On the economic front, if we can get the governance issues sorted out—there is a great deal to be optimistic about on that front—there is much that we can do to help the Malawian economy. I have already been in touch with one of the members of parliament there, whom Murdo Fraser and I met, about the establishment of a canning factory to develop and add value to the fruit and agriculture sector.

There is a great deal to be said about Malawi. It is a fantastic country and the people are lovely. We should continue to develop our relationship with Malawi and try to help those good people to sort out their problems.

17:23

Mr Mark Ruskell (Mid Scotland and Fife) (Green): I echo those words and thank Sylvia Jackson not only for leading the debate, but for leading the CPA visit to Malawi, which I attended. I, too, thank Margaret Neal and Roy Devon for putting together a multi-faceted programme that ran extremely smoothly throughout the 10 days we were there. It was my first visit to Africa, and it was the first time that a Green politician from these shores had been on an official Commonwealth parliamentary visit—not before time. We all have a responsibility to make sense of globalisation and to connect with people, communities and other parliaments around the world. The Commonwealth has a clear role to play in that, which I value.

There are numerous challenges that we need to address throughout the world and through the Commonwealth. One of the challenges, which the Executive has acknowledged, is that if everybody lived as we do in Scotland, we would use up three times our planet's resources. The situation in Malawi is different. If we all lived as Malawians do, we would need only half the planet's resources, but we would be living in extreme poverty. These are two countries that are, for different reasons, living completely unsustainably but there are the possibilities of dialogue between them and of their learning from each other.

In many ways, Malawi is able to jump to some of the solutions that we are now considering in Scotland. Malawians are perhaps able not to make some of the mistakes that we have made over the past 150 years. In some respects, Malawi is

blessed with a very low demand for electricity and energy. That will have to grow so that the country's economy can grow over time, but it could potentially move straight to the endgame—to renewables and decentralised energy. That is very important and we can develop that link.

This morning we talked about making poverty history and we reflected on the themes of trade, aid, debt and climate change. One of the things that really resonated with me and other members was our visit to fair-trade sugar producers. That is an incredible organisation that has grown and has real capacity to trade with the United Kingdom under fair-trade premiums. I was struck by the investment that the organisation had managed to make in health care, education and its community.

In contrast to that was our visit to the coffee producers in the north of the country who are not yet trading under fair trade with the UK. There is a real potential for us to channel some of the Executive's aid into sustainable economic development and to help the producers to develop the capacity to trade with us in the west. That is the kind of capacity that David Livingstone wanted. He wanted Africa to develop solutions to its own problems. We can help to facilitate that and bring some wealth into the country.

Malawi's Government has only £500 million to spend every year, so it is obscene that it is still paying back debts to the west. There are issues about governance—as Alex Neil mentioned—and we in the Scottish Parliament can play a role in assisting with those issues.

My overwhelming impression of Malawi was that it is a very good place to live until a person gets sick or the rains do not come, and then there are huge food security issues. It is clear that parts of Malawi, and other areas throughout sub-Saharan Africa will become inhospitable in the years ahead, which will create tensions. People will migrate from those areas and will put pressure on the areas that are still viable because of rainfall and food security. That will create huge problems that will stifle development. We in the west therefore have a moral imperative to tackle climate change, to work with our partners and to reduce emissions here. We can thereby allow Malawi's emissions to increase so that the country can have some economic development and room to breathe.

The trip to Malawi has affected me deeply on a personal and political level. I look forward to building links with the Commonwealth Parliamentary Association and with the people, communities and parliamentarians whom we met on the trip.

17:27

Irene Oldfather (Cunninghame South) (Lab):

It is a privilege to be able to speak in today's debate to mark Commonwealth week, and I add my congratulations to Sylvia Jackson on securing the debate and on the personal interest that she has shown in these matters through the Commonwealth Parliamentary Association.

We in Scotland have a strong role to play in the Commonwealth. In particular, we have forged an exceptionally strong relationship with our friends in Malawi. I was delighted to see some very familiar people in the gallery this evening; people who are committed to progressing that friendship.

I recall when Chris Patten, as a European commissioner, visited Parliament to discuss European and external affairs. On that visit, I asked him what role the European Commission and Europe had in contributing to Malawi and to alleviating the problems in Africa. At that time, we did not have a cross-party group on Malawi, and we had not visited the country. In the short period of time that the Parliament has been in operation, we have made significant progress through the cross-party group that is led by Karen Gillon, and through a significant number of members—not least our First Minister—visiting the country and committing to developing our friendship.

Of course, Scotland has a long and proud history of association with Malawi. Scottish churches have had an enormous impact on the daily lives of Malawians, and of course, the work and the commitment of Dr David Livingstone to the country lives on in Blantyre and Livingstonia. Malawi has had consular representation in Scotland for more than 20 years; no other sub-Saharan country has shown that level of commitment to us over such a sustained period. The connection runs even deeper in my constituency with the consular representative for Malawi, Colin Cameron, being based in Irvine.

Much is known about the history of the links between Scotland and Malawi, but less is known about the close links between communities in my area and communities in Malawi—particularly the educational links—so I take this opportunity to mention one or two of them. Since 2000, St Michael's academy in Kilwinning has been building relationships with St Peter's secondary school in Mzuzu. With financial assistance from Irvine and Seagate Rotary clubs, a teacher from St Michael's was sent to spend a year teaching at St Peter's in Malawi. Since then, the relationship has blossomed. In June this year, five staff and four senior pupils from St Michael's visited Malawi on the first phase of an exchange project to assist in developing the educational links and to work on an irrigation project.

I have not been to Malawi, but I was staggered by the stories that the pupils and teachers from Malawi told me about the challenges that they face every day. St Peter's school has limited facilities. The classrooms have no windows and pupils share desks. There is no electricity and whole-school assemblies are held in the open air or on the school's netball pitch. Those circumstances are so far removed from what we are accustomed to in Scotland.

Malawi benefited from the exchange, but I think that the Scottish pupils benefited, too. We had a question-and-answer session with the Malawian students and I was staggered to hear Scottish kids asking, "What are school dinners like in Malawi?" of people who walk 10 miles just to get to school and there are no school dinners. Lord James mentioned designer clothing. One question that was put to the pupils from Malawi was, "What kind of clothes do you change into at night?" It is good for pupils in my constituency—and for everyone in Scotland—to learn about the difficulties and challenges that are faced by communities in Malawi.

There is so much more that I want to say but I know that the Presiding Officer is urging me to conclude. One of the staggering figures that I heard during the Malawians' visit to Ayrshire last week—they left yesterday—is that there are more Malawian doctors in Manchester than there are in Malawi. I think that that illustrates how important it is for the UK Government's code of practice to ensure that we do not recruit specialists from sub-Saharan Africa. I am glad that the Deputy Minister for Finance, Public Service Reform and Parliamentary Business reiterated that that is the Executive's position in the debate earlier this afternoon.

I support the motion in Sylvia Jackson's name.

17:32

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): As the most recently appointed member of the Scottish committee of the Commonwealth Parliamentary Association, I am to some extent the new boy on the block. I congratulate Sylvia Jackson both on securing the debate and on the excellent speech that she made. I did not go to Malawi. I have never been to Malawi, but I have learned more about Malawi in the past 33 minutes than I ever thought I would, so I congratulate all the members who have spoken on their excellent speeches.

I will concentrate on the first part of the motion, which mentions the role of the Commonwealth and the Commonwealth Parliamentary Association. It is worth reminding ourselves that the modern

Commonwealth of nations, to give it its correct name, evolved as

"an international partnership of countries dedicated to co-operation and governed by mutual respect".

Today, it consists of no less than 54 member countries throughout Africa, Asia, the Caribbean, Europe, the Mediterranean, North America and the Pacific. Up to 1.7 billion people—more than a quarter of the world's population—live in the Commonwealth and more than half of them are young people aged 25 or under. At the core of the Commonwealth are the notions of equality, justice and democracy. They are reflected in the decisions of Commonwealth heads of Government and ministers and in the activities of the various Commonwealth organisations and agencies that other members have mentioned.

Every year, the second Monday in March is Commonwealth day, when the beliefs, principles and diversity of people from different countries are celebrated. It is worth remembering that, at the 1992 summit at Harare in Zimbabwe, the Harare Commonwealth declaration prioritised the promotion of democracy, good governance, human rights, the rule of law and sustainable economic and social development. I point that out merely to remind members of some of the guiding principles and purposes of the Commonwealth.

It is interesting to note that the Commonwealth Parliamentary Association was founded in 1911 as the Empire Parliamentary Association and that there are active CPA branches in no less than 170 national, state, provincial and territorial Parliaments and legislatures. Believe it or not, the organisation has a total membership of almost 14,000 parliamentarians. One can appreciate the importance of that linkage. Every member of the Scottish Parliament is a member of the CPA, which fosters co-operation and understanding and promotes the study of, and respect for, Parliament as an institution. Those aims are endorsed regularly by heads of Government and parliamentarians throughout the world.

My belief in the value of the Commonwealth is linked to my belief in the purpose of Europe, which I share with colleagues in my party and in many other parties. Along with every other family, my family lost members in the first world war—two great uncles of mine were shot. European integration is an important way of ensuring that we work together. I put it to colleagues that the Commonwealth stands for exactly the same thing—the promotion of peace, understanding, co-operation, welfare and health. I applaud Sylvia Jackson for securing the debate.

17:36

Mike Pringle (Edinburgh South) (LD): I, too, congratulate Sylvia Jackson on securing the debate and on using one of her small number of opportunities to select a topic for a members' business debate to discuss the Commonwealth. I am sorry that I will not be able to attend the reception afterwards because I have a long-standing engagement at a school in my constituency this evening.

I congratulate not only Caitlin McClatchey and David Carry, but Chris Hoy, who I am sure is disappointed that he won only a bronze medal when he had hoped to do better. Scotland is sitting second in the medals table. I have not had time to research whether that has happened before at a Commonwealth games, but it certainly represents a great achievement on the first day of the games. I wish the rest of the Scottish team in Melbourne all the best and hope that they come home with many more medals.

I hope, too, that the First Minister has every success in bringing the 2014 Commonwealth games to Glasgow. He is in Melbourne to discuss that issue and I wish him success in his efforts. Hosting the games would benefit the whole of Scotland and I am sure that we can show that we have the experience and expertise to hold such a wonderful event again.

I have always been a supporter of the Commonwealth, perhaps because I was born in what was Northern Rhodesia and is now Zambia, which meant that from a very early age I was aware of the close ties that existed with the UK. I remember that when I was a small child, the late Queen Mother visited my home town of Luanshya in Northern Rhodesia. That was a huge event, which I still have a record of through my father's cine films.

I will not repeat the history of the Commonwealth Parliamentary Association, which Jamie Stone has outlined. How that organisation has grown and how successful it has become. It is always good to welcome Commonwealth delegations to the Scottish Parliament, but the group that came from Malawi was, for me, the most significant. The two-day conference that was held in November 2005 was a great success. I was particularly impressed by the address that was given by the President of Malawi, Dr Bingu wa Mutharika, whose honesty and openness—which I found refreshing in an African politician—can only bode well for the future of Malawi.

Along with Karen Gillon, I was extremely fortunate to be part of the delegations that visited Malawi in 2005 and 2006. There can be no doubt that both visits had a profound effect on those who went on them. Many people—not just members—

have asked me what differences we noticed and what improvements had been made since 2005. The sun shone for the duration of the two-week visit in 2005. Members might think that that was good, but they would be wrong. The result was that starvation occurred throughout Malawi at the end of last year and the beginning of this year because the rains should have come in February, but they did not. This year we had some sun but, boy, we had lots of rain, which means that the prospects for the maize crop in 2006 are good. The irony is that the improved rainfall has resulted in considerable flooding in some parts, which has damaged much of the crop in the affected areas.

I am pleased that the Executive has focused on Malawi, but given that it is putting in £3 million when the Department for International Development is providing £65 million, choices must be made. Along with the other members of our group, I saw some of the projects that the Scottish Executive is supporting. For example, at the Mulanje Mission hospital, we met the only local doctor who qualified from the medical school in Malawi and who is still working there; all the others have gone abroad.

The project that I most want to highlight is the maternity unit at Bottom hospital, which we visited on both trips. The Scottish Executive has given funding to ALSO—advanced life support obstetrics—which is a training programme for midwives. The programme, which in turn develops midwives into trainers, is being delivered over three years by Graeme Walker and a group of midwives from across Scotland, who have also raised considerable funds for the hospital. Those of us who visited the hospital on both trips saw the improvements that have been made as a result of that funding and fundraising. We could see that Grace and Taliq Meguid, who run the maternity unit, were definitely in better spirits. Although there is still a lot to be done, they are looking forward to better times for Bottom hospital.

The long-term aim is to rebuild the maternity unit at Bottom hospital. If anyone who is listening to the debate, either in the chamber or elsewhere, knows where I can get my hands on \$2 million, I would be extremely pleased to hear from them.

17:41

Karen Gillon (Clydesdale) (Lab): It is a pleasure to contribute to the debate. Without a doubt, the Commonwealth is a tremendous institution. The Commonwealth, through its many facets, brings together people from all corners of the globe. I am proud of the distinct and respected role that Scotland plays in the Commonwealth and I am equally proud of our long-standing relationship with Malawi. I am privileged to have visited the country twice. As I watch the

Commonwealth games in the days ahead. I will be cheering just as loudly for the Malawian athletes as I will for our Scottish competitors. It will be a case of divided loyalties in my household if Malawi and Scotland end up competing head-to-head for a gold medal.

Malawi is a bit like that; it attracts loyalty. It got to us in simple ways, but mainly through the warmth and friendliness of its people. It is for good reason that Malawi is called the warm heart of Africa. It got to us for another reason, which is that it cannot be right in the 21st century that people in Malawi have to live in abject poverty when people in countries such as Scotland live in relative wealth. I believe that there is much that we can do about that.

As I said, I have made two visits to Malawi. In the course of our most recent visit, which was so ably arranged by Roy Devon and Margaret Neal, we again travelled the length and breadth of the country. I ventured south, to the very hot Chikwana district, to see at first hand the work that Tracy Morse and her team are doing. I saw the challenges that they face in tackling terrible diseases such as tuberculosis, malaria and HIV/AIDS. We saw mums who had walked great distances to have their babies in the hospital. We also saw children, some of whom were younger than my own two boys. Sadly, as we debate the issue today, I know that it is unlikely that those children in Chikwana are alive today. Visiting that district hospital was a harrowing experience; it was an experience that changed people

We also visited a village where we met the local people and the chief to discuss their needs. They told us that their primary need was for a borehole that would provide a clean and safe freshwater supply. They said that a borehole would not only provide clean water but would free the village girls from having to walk miles to collect it; they would instead be able to attend school.

Their next priority need was for a bicycle ambulance, which is a bicycle and trailer that can be used to take people to hospital. The village did not have an ambulance, but the villagers wanted to be able to get people to hospital in a better way and more quickly. The cost of a bicycle ambulance is about £100.

The final need that the villagers told us about was for a medical box. I was a bit surprised when they told us that, as I did not know what it was. On further discussion, it transpired that a medical box was a box in which medicines were made available locally—medicines such as paracetamol that we take for granted in our homes, never mind at local level.

One of the projects that the Executive is supporting focuses on the villages in Malawi. It

offers training to local people, initially women. If I learned one thing from my visits to Malawi, it is that changing the lives of the women of Malawi is the thing that will change the country for the better. When women begin to take charge of their lives, tackle some of the existing gender violence issues and begin to get involved in developing their country, Malawi will have turned a corner in its development. Those women will be able to educate others on hygiene, lifestyle, sexual practice and disease prevention and they will be able to get some of the materials that we talked about.

However, the real difference will be community involvement, which is key in education as well as in health. Two Scots—Tina Deans, who is one of my constituents, and Janet Chesney, who is one of Sylvia Jackson's constituents—are involved in community development through education. We visited an AIDS project at Paradiso House, where I was given a foundation stone to lay for the new building by children aged seven, eight and nine who have AIDS and will die because they cannot get access to the medicine and support that we take for granted. That had a huge impact on me. The project is trying to help people to get access to the medicine and support that they need.

I am passionate about Malawi—I have got the bug, like many members and people in the gallery today. The Scottish Parliament cross-party group on Malawi is essential, because it keeps a focus on Malawi in the Parliament and builds links in Scotland. I hope that colleagues in Malawi will establish a cross-party group in Malawi's Parliament with which we will be able to liaise. Our relationship with Malawi is not a fly-by-night or short-term relationship; it must be long and sustained if it is to make a difference to people in Scotland and Malawi.

When we went to Malawi we met a number of people whose love and respect for Scotland made them proud to describe themselves as black Scots. Likewise, I would be proud in time to be known as a white Malawian.

17:46

Murdo Fraser (Mid Scotland and Fife) (Con): I commend Sylvia Jackson for securing the debate and for her motion on Commonwealth day. I have enjoyed listening to members' reflections on the visit to Malawi by the delegation from the Commonwealth Parliamentary Association Scotland, of which I was glad to be part. As others have done, I thank Sylvia Jackson for leading the delegation and Roy Devon and Margaret Neal for shepherding us around. I also thank fellow members of the delegation for their generally genial company during the visit.

I offer a few reflections of my own. Malawi is a land of contrasts. On the one hand, we saw heartrending sights. We witnessed desperate poverty and saw people who do not have enough to eat. We saw people who live without basic amenities and have to walk for miles to obtain clean water. We saw people who lack basic health care and have access to only primitive opportunities for education. On the other hand, we witnessed many good things, many of which I am pleased to say are being supported by people in Scotland. I am not always a vocal supporter of the Scottish Executive, but the Executive is doing the right thing in giving effective support to Malawi that is delivering on the ground.

The delegation could see for itself that a little of our money goes a very long way in Malawi. What are to us very small sums of money can make a huge difference to people. I encourage people in Scotland who contribute to Malawi to redouble their efforts and I encourage other people to join them, because we can make such a difference to people's lives.

The tragedy of Malawi and sub-Saharan Africa is that there is no natural reason why the region should be poor. Malawi has suffered from drought in the past but the country has had rain this year and a good harvest is expected, as Mike Pringle said. Malawi has been blessed with peace, is generally stable, has reasonable natural resources and has people who are kind, friendly and hardworking. The failure of Malawi is a failure of politics and as the former colonial power in the country we must accept our share of responsibility for that. Malawi's Parliament has not met since October and might not meet again until April. All the things that need to be done in the country are difficult to achieve without a properly functioning democracy and the enforcement of the rule of law. The Scottish Parliament can and should help to strengthen the institutions of democracy in Malawi. Members mentioned the parliamentary reform programme that has been proposed, to which we should give our enthusiastic support. We should consider how this institution can help in kind, perhaps by sending members of staff such as parliamentary clerks to build links with people in Malawi. I suggest not that we tell Malawians how to run their country—we did enough of that in the past—but that we offer practical help. We should remember that there has been democracy in Malawi for only the past 12 years. We cannot expect Malawi immediately to become a country like ours, which has had a democratic system for 300 years.

My final words—which are probably the final words on behalf of the delegation—are to reflect on Karen Gillon's comment that Malawi is the warm heart of Africa. We all found that when we were there. For me, the highlights of the trip were

our visits to churches, particularly during the second weekend, when we visited St Andrew's church in Mzuzu, which has a congregation of 2,500 people, the average age of which is probably about 25. Some people had walked miles to join in the worship. The faith and spirituality of people in Malawi put us to shame. They may be poor in our terms—in material terms—but they have a richness that we seem to have lost. As we develop the relationship with Malawi, we can give people there a lot and they can learn a lot from us, but it is important that we remember that we can learn a lot from them.

17:51

The Deputy Minister for Finance, Public Service Reform and Parliamentary Business (George Lyon): It is a privilege to take part in the debate on behalf of the Executive. I thank Dr Sylvia Jackson for giving us the opportunity to celebrate Commonwealth day and the valuable work of the Commonwealth Parliamentary Association. There have been some superb speeches that reflect the personal experiences of those who have visited Malawi. I will touch on some of the issues that they raised.

The modern Commonwealth comprises 1.7 billion people—30 per cent of the world's population—from 53 member states that have a shared belief in freedom, democracy, international peace, the rule of law and equal rights for all. Commonwealth day promotes the understanding of global issues and this year is no exception, with the theme of health and well-being. Many of the speeches have touched on that theme in relation to Malawi. The Commonwealth has had to face some serious situations in its history and is, no doubt, likely to do so again in the future. On occasion, it has its differences and arguments, but its strength is its diversity and ability to discuss and find solutions to problems. The difficulties are not always political—we cannot forget the devastating earthquake that hit Pakistan and northern areas of India on 8 October 2005.

Scotland has many historical links with Commonwealth countries. Scots engineers, doctors and missionaries worked in many countries of the Commonwealth. Their contributions helped to develop and shape those countries in the past 200 to 300 years. I will name but a few of them. Sir John Macdonald was the first Prime Minister of Canada and was central to bringing about the confederation of Canada in 1867. Catherine Spence became Australia's first female political candidate and first woman journalist and novelist. She was a lifelong campaigner for women's suffrage and wrote the first legal studies textbooks in Australia. Members have mentioned David Livingstone, the explorer

and medical missionary, who discovered Victoria falls. Those are just some of the Scots who played a major part in shaping the countries that make up the Commonwealth.

Members have rightly focused on the special relationship between Scotland and Malawi. We have a long history of collaboration, particularly in health and education. Both countries wish to build on that history by actively engaging through partnership. None of us could fail to be moved by the health statistics that Dr Sylvia Jackson mentioned. The figures on life expectancy, mortality and infant mortality are truly shocking. It is difficult for us in Scotland to comprehend just how difficult and challenging life is in that country. To reflect on what Lord James Douglas-Hamilton said, it is truly humbling to compare the lot of people in Malawi with the benefits that we in Scotland enjoy. We have a right to health and education services that are second to none, but those people do not. Our work in Malawi should tackle some of those key issues.

Some members will know that Scotland signed a co-operation agreement with Malawi on 3 November last year. The partnership is reciprocal—it is based on sharing experiences and skills and is an opportunity for Scotland and Malawi to learn from each other and to recognise each other's needs. The agreement covers co-operation in a number of broad areas—civic governance, sustainable economic development, health and education—that members who have visited Malawi recently have touched on.

We have agreed principles that will underpin all the health engagement between Scotland and Malawi. The Ministry of Health and Population in Malawi has identified its priorities as being to increase the number of front-line health professionals of all cadres, to improve their skills and to support communities so that they can access and deliver health services as part of the Malawi national health plan. As Karen Gillon said, a simple thing such as a bicycle ambulance for £100 can make a big difference. That shows what the money that we in Scotland are trying to invest to help Malawians can achieve. Scotland aims to support the priorities by building capacity in training institutions and facilitating in-country specialist and community training to enable the Malawi essential health package to be delivered. We are actively engaged in delivering our commitments to Malawi. A team from the Health Department is due to visit Malawi at the end of March and other actions have already been identified and planned.

Our focus is capacity building, but we recognise the critical importance of the wider determinants of health, including poverty alleviation, the promotion of gender and disability equality, education—

particularly the education of girls, which is the key to unlocking some problems in Malawi, as Karen Gillon rightly stressed—sustainable livelihoods, safe water, improved nutrition and security. I assure members that our work in Malawi is not short term—it is longer-term work because we need to engage on a long-term basis if we want to make a difference.

On this important day, it would be remiss of me not to mention the Commonwealth games. Members will be aware that the Scottish Executive supports Glasgow's bid to host the 2014 Commonwealth games. The First Minister and the Minister for Tourism, Culture and Sport have been active in trying to generate support for the bid throughout Scotland and both are now in Melbourne attending the 2006 Commonwealth games with representatives of the Glasgow 2014 bid team. They have introduced Glasgow's bid to other Commonwealth games associations to show that Glasgow is the right choice. I am sure that all members wish them success in trying to ensure that Glasgow successfully attracts the Commonwealth games to this country and I am sure that all members would like our athletes in Melbourne to know how proud we are that Scotland has already, on the first day, won two gold medals and one bronze medal—members have already mentioned that. I am sure that those medals are a forerunner of many medals to come. We wish our athletes every success in the coming days.

Meeting closed at 17:58.

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