



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 28 February 2013

Session 4

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.scottish.parliament.uk or by contacting Public Information on 0131 348 5000

Thursday 28 February 2013

CONTENTS

	Col.
GENERAL QUESTION TIME	17141
Homecoming 2014	17141
Housing Associations (Bedroom Tax)	17142
Air Services (Highlands and Islands).....	17143
Number Plate Cloning Fraud	17145
Food Banks.....	17146
Post-mortems (West of Scotland).....	17147
FIRST MINISTER'S QUESTION TIME	17150
Engagements.....	17150
Prime Minister (Meetings).....	17154
National Health Service (Medical Negligence Claims)	17157
Economy (Downgrading of Bond Rating)	17159
Education (New National Qualifications)	17160
Economy (North Sea Oil Investment)	17161
POINT OF ORDER	17163
ENOUGH FOOD FOR EVERYONE IF CAMPAIGN	17164
<i>Motion debated—[Sarah Boyack].</i>	
Sarah Boyack (Lothian) (Lab).....	17164
Jamie Hepburn (Cumbernauld and Kilsyth) (SNP).....	17167
Alison Johnstone (Lothian) (Green).....	17168
Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab)	17170
John Mason (Glasgow Shettleston) (SNP).....	17171
Alison McInnes (North East Scotland) (LD).....	17173
John Scott (Ayr) (Con)	17175
The Minister for External Affairs and International Development (Humza Yousaf).....	17176
FOOD SAFETY BODY	17180
<i>Statement—[Michael Matheson].</i>	
The Minister for Public Health (Michael Matheson).....	17180
AQUACULTURE AND FISHERIES (SCOTLAND) BILL: STAGE 1	17191
<i>Motion moved—[Paul Wheelhouse].</i>	
The Minister for Environment and Climate Change (Paul Wheelhouse).....	17191
Rob Gibson (Caithness, Sutherland and Ross) (SNP).....	17197
Claudia Beamish (South Scotland) (Lab)	17200
Alex Fergusson (Galloway and West Dumfries) (Con).....	17203
Stewart Stevenson (Banffshire and Buchan Coast) (SNP)	17206
Jayne Baxter (Mid Scotland and Fife) (Lab).....	17208
Angus MacDonald (Falkirk East) (SNP)	17210
Graeme Pearson (South Scotland) (Lab)	17212
Nigel Don (Angus North and Mearns) (SNP)	17214
Jim Hume (South Scotland) (LD).....	17216
Richard Lyle (Central Scotland) (SNP).....	17218
Margaret McDougall (West Scotland) (Lab)	17220
Graeme Dey (Angus South) (SNP)	17222
Jean Urquhart (Highlands and Islands) (Ind)	17224
Jamie McGrigor (Highlands and Islands) (Con)	17225
Claire Baker (Mid Scotland and Fife) (Lab)	17228
Paul Wheelhouse.....	17231
CRIME AND COURTS BILL	17236
<i>Motion moved—[Kenny MacAskill].</i>	
DECISION TIME	17237

Scottish Parliament

Thursday 28 February 2013

[The Presiding Officer *opened the meeting at 11:40*]

General Question Time

Homecoming 2014

1. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what progress it has made regarding homecoming 2014. (S4O-01849)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): Planning for homecoming Scotland 2014—

The Presiding Officer (Tricia Marwick): Can we have the cabinet secretary's microphone on, please?

Fiona Hyslop: Planning for homecoming Scotland 2014 is progressing well. We have announced that the Scottish Government is providing VisitScotland with a core budget of £5.5 million to support the year, which will be set around the five themes of ancestry, food and drink, and an active, creative and natural Scotland.

The homecoming Scotland 2014 programme is due to be launched next month. Thereafter activity will ramp up significantly, boosted by global marketing and public relations campaigns, which will be led by VisitScotland.

Activity currently taking place to prepare for homecoming Scotland 2014 includes development of the model for engaging Scotland's communities in the year, exploration of educational aspects linked with curriculum for excellence, and the launch and on-going enhancement of a toolkit to help businesses harness the significant opportunities that the year offers.

Stuart McMillan: I am sure that the cabinet secretary will agree that investment in infrastructure projects can greatly assist our tourism industry and help local economies to become more sustainable. Does she agree that the importance of homecoming 2014 in the current economic climate should not be underestimated and that the marine tourism opportunity in the west of Scotland, whether on the coast or in areas such as Loch Lomond, is a prime example of part of our economy that can deliver more? Does she agree that if any additional consequential moneys come to this Parliament from Westminster, due consideration should be given to infrastructure and tourism projects in the west of Scotland that could link in with the year of homecoming 2014?

Fiona Hyslop: I know that Stuart McMillan has consistently argued for marine infrastructure, particularly in the west of Scotland, and that he is particularly interested in marine and cruising activity in the Greenock area. Discussions on that are going on between Greenock cruise terminal and Scottish Enterprise.

Stuart McMillan's more general point, about the importance of the impact of homecoming 2014 for businesses, is well made. We have carried out a lot of investment, particularly in my portfolio, in the culture and heritage aspects of what Scotland has to offer. The impact is extensive, not just on our built heritage but on our marine heritage, in bringing people to Scotland to use our waterways, in Loch Lomond or on the west coast.

I am sure that Stuart McMillan's request about consequential has been heard by the relevant finance minister. His point is well made.

Housing Associations (Bedroom Tax)

2. Gil Paterson (Clydebank and Milngavie) (SNP): To ask the Scottish Government how it will deal with the impact of the so-called bedroom tax on housing associations. (S4O-01850)

The Minister for Housing and Welfare (Margaret Burgess): We have been working with a wide range of social landlords and other stakeholders since the United Kingdom Government announced its welfare reforms, to identify ways to lessen the impacts. We are investing in training and guidance for housing associations to help them deal with the bedroom tax and we will continue to support housing associations and tenants where we can.

We should not forget the impact on those who are most affected. The measure has an unfair impact on vulnerable Scottish households. Seventy-nine per cent of households that will be affected by the bedroom tax report an adult in the household with a disability.

I have written again to Lord Freud and Iain Duncan Smith to ask them to look at this again and abandon the bedroom tax part of the welfare reforms, as it continues to cause problems for the most vulnerable citizens in Scotland.

Gil Paterson: The minister is fully aware that the UK Government proposals are causing a great deal of confusion among tenants or councils and housing associations. Some people believe that the Scottish Government has the resources to stop the effects of the proposals in Scotland, despite the cuts that have been made to the Scottish budget. My question is straightforward: has the Scottish Government got the powers or resources to stop this happening in Scotland?

Margaret Burgess: The Government is doing what it can within its devolved powers to lessen the impact of the UK Government's damaging welfare reforms. However, the member is right to point out that welfare budgets are reserved to Westminster and that the welfare reforms are not of our making. From our limited budget, we have already made up the shortfall in council tax benefit, added £9.2 million to the Scottish welfare fund and invested £5 million in advice services and we will continue to consider all reasonable ways of lessening the impact of reforms such as the bedroom tax on Scottish households and our economy.

As I have said, the member is correct: these reforms are not of our making and we are doing what we can to mitigate their impacts. However, the reality is that those impacts are becoming greater and greater; no sooner do we plug one hole than another one opens. Mr Paterson is absolutely right. With its devolved resources, the Scottish Government does not have the money to mitigate all the welfare reforms or the bedroom tax.

The only way we can get rid of the bedroom tax—

Members: Oh!

Margaret Burgess: Let me finish. The only way we can get rid of the bedroom tax is by trying—as I have done again this week—to persuade the UK Government to abandon it. It is recognised throughout the chamber that the tax is wrong and not fair in any way. The other alternative is to vote yes in the 2014 referendum so that we can take charge of the benefits system.

Drew Smith (Glasgow) (Lab): Has the Scottish Government taken legal advice on the definition of “bedroom” and will the minister issue guidance on that matter?

Margaret Burgess: The Scottish Government is looking at all ways of dealing with this issue. We and indeed landlords are investigating the size of bedrooms, their reclassification and so on. We will continue to look at the matter and will report back when we have reached a conclusion.

Air Services (Highlands and Islands)

3. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Government what plans it has to review the number and range of public service obligations for fragile air services in the Highlands and Islands. (S4O-01851)

The Minister for Transport and Veterans (Keith Brown): The Scottish Government currently supports three PSO air services from Glasgow to Campbeltown, Tiree and Barra. We have agreed to pilot from this summer a weekend

service to Campbeltown, which will be included in the new contract for the service. We generally monitor these services in the normal course of events, but we have no further plans at this time to review the number and range of air services subject to a PSO in the Highlands and Islands.

David Stewart: The minister will be well aware that PSOs are extensively used in France and the Republic of Ireland to sustain air services to remote regions. The iconic beach landing at Barra is a classic example of a fragile, low-capacity route that would never survive the vagaries of the free market. Will the minister agree to meet me to discuss the wider use of PSOs throughout Scotland?

Keith Brown: I am, of course, willing to meet the member but I point out that our practice of not providing air services within local authority areas is exactly the same as that which was followed by the previous Administration.

I have already discussed the general issue of PSOs that the member raises with the local MSP, Dr Alasdair Allan, the local MP and others and I am more than happy to discuss it with David Stewart.

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): I am sure that the minister will be aware of Ashaig airstrip on the Isle of Skye and that Highland Council is considering the possibility of reintroducing scheduled services from Skye to the central belt, Inverness, Aberdeen and so on. Has the minister had any discussions with Highland Council on the matter and is there any way in which the Government can support or assist the council in getting flights back into Skye?

Keith Brown: I am aware of Highland Council's endeavours in that area but have not been approached directly by it. Of course, I am more than happy to discuss these issues with the council if it wishes to make representations.

John Scott (Ayr) (Con): The minister is aware of the fragility of air services in the Highlands and Islands and elsewhere and its impact on PSOs. What plans does he have to introduce a European Union-compliant successor scheme to the route development fund to support fragile air services and when will it be put in place?

Keith Brown: The issue is being taken forward by the Deputy First Minister and I am happy to provide the member with an update on that. We have been looking at the issue seriously, because I think that we can do a great deal of work in this area.

In relation to local authority services such as that mentioned by David Stewart—and going back to a point that Margaret Burgess has just made—I must point out that the Government has neither

the resources to continually backfill for the things that the Westminster Government does nor the resources to continually backfill for the things that local authorities decide that they no longer want to do. We have to live within our means. That said, I take on board John Scott's point and will provide the information that he is looking for.

Number Plate Cloning Fraud

4. Stewart Maxwell (West Scotland) (SNP): To ask the Scottish Government what information it has on the number of incidents of number plate cloning fraud. (S4O-01852)

The Cabinet Secretary for Justice (Kenny MacAskill): The Scottish Government does not hold that information centrally and it is not possible to disaggregate specific crimes involving number plate cloning from the recorded crime data submitted by the police to the Scottish Government.

Stewart Maxwell: I thank the cabinet secretary for that answer. I have a constituent who was the victim of a crime involving a vehicle that left the scene. Police have been unable to trace the vehicle, despite having its number plate, as it seems that the number plate was false or cloned.

I would be concerned if vehicle number plate cloning was on the rise, enabling criminals to avoid detection for a range of offences and causing innocent motorists to face fines or penalty points that they did not incur. What advice can the cabinet secretary offer to victims of number plate cloning and what action can the Scottish Government take to assist police in cracking down on the problem?

Kenny MacAskill: The member is right to raise the issue. Number plate theft is a serious matter that should be reported immediately to the appropriate authorities—the police and the Driver and Vehicle Licensing Agency—to minimise the risk of a person receiving fixed-penalty notices or being suspected of committing crimes.

Motorists should be aware of the dangers that are associated with the crime and should take heed of advice that is readily available from many sources, including the police, the DVLA and insurance and motoring organisations. If any member of the public is aware of or suspicious about this particular crime—or indeed any type of crime—happening, they should contact the police or Crimestoppers.

The police service of Scotland will doubtless look at the issue, as we now have a specialised dedicated road traffic unit providing for all of Scotland. Either the chief constable or I would be happy to discuss the matter further with the member.

Food Banks

5. Maureen Watt (Aberdeen South and North Kincardine) (SNP): To ask the Scottish Government what recent discussions it has had with local authorities regarding the distribution of food from food banks. (S4O-01853)

The Minister for Housing and Welfare (Margaret Burgess): Although we have had no recent discussions with local authorities regarding the distribution of food from food banks, it is of great concern that many families in Scotland now have to rely on food banks. Many low-income families who have never needed help before are now facing real hardship—welfare reform and rising fuel prices are adding to that.

We continue to work with local authorities, third sector partners and others to mitigate the worst impacts of welfare reform for those on the lowest incomes. From April, our new £33 million Scottish welfare fund will provide an additional 5,600 community care grants and more than 100,000 crisis grants for those in need. In January, we announced an additional £5.4 million for front-line advice services such as citizens advice bureaux, which will go directly towards helping people—*[Interruption.]*

The Presiding Officer: Order.

Margaret Burgess: That money will go directly towards helping people understand the changes to the United Kingdom Government benefits.

Maureen Watt: Does the minister agree that, along with food, it is essential that those in need are offered broader advice concerning health and budgeting, in order to provide longer-term solutions to poverty? Will she join me in congratulating Cfine—Community Food initiatives North East—for developing a food distribution strategy in conjunction with Aberdeen City Council and Aberdeenshire Council and other stakeholders?

Margaret Burgess: I join Maureen Watt in congratulating that initiative in Aberdeen. I have been looking at some other food distribution charities and social enterprises and they are certainly worth looking at, as they provide a vital service to local communities.

The Government is doing all that it can to tackle poverty and inequality in Scotland. We are committed to tackling the long-term drivers of poverty through early intervention and prevention. Our approach includes funding interventions that are designed to maximise household incomes and to improve children's life chances: examples include £11 million for 2013 to 2015 to build on the success of the family nurse partnership initiative and the establishment of £272 million early years change funds over this parliamentary session.

Scottish Government officials have convened a health impact delivery group—comprising representatives of NHS Scotland, local government and the third sector—to identify the impact of welfare reforms on health and the mitigations that can be put in place. That will include the provision of advice and support and the identification of good practice that is already in place for health boards so that that good practice can be shared more widely.

Post-mortems (West of Scotland)

6. Duncan McNeil (Greenock and Inverclyde)

(Lab): To ask the Scottish Government what action the Cabinet Secretary for Justice will take to reduce delays in post-mortems in the west of Scotland. (S4O-01854)

The Cabinet Secretary for Justice (Kenny MacAskill): NHS Greater Glasgow and Clyde, which provides mortuary services for the two west of Scotland health boards—NHS Greater Glasgow and Clyde and NHS Lanarkshire—and for the procurator fiscal in its Southern general hospital mortuary facility in Glasgow has advised that there are currently no delays to those services, with the hospital post-mortems being carried out within three to four working days.

All post-mortem examinations that are requested as a result of deaths reported to the procurator fiscal on Friday 22 February 2013 were scheduled for examination at the Southern general hospital on Thursday 28 February, which is within the three to four working days period.

Since December 2012, almost all the post-mortem examinations that are instructed by the procurator fiscal in the west of Scotland are being undertaken at the newly established Southern general hospital mortuary facilities in Glasgow. That state-of-the-art, modern mortuary facility has replaced the services that were previously provided at the 80-year-old Glasgow city mortuary, which has now closed.

The Crown Office and Procurator Fiscal Services works with the national health service and the pathologists who conduct the post-mortem examinations at the Southern general mortuary facility, and all are committed to ensuring that the post-mortem process is conducted timeously.

Duncan McNeil: I thank the cabinet secretary for that response, although the information that I have is clearly different from the information that his officials have provided to him.

I am sure that the cabinet secretary appreciates the traumatic experience of a sudden death in any family. The information that I have is that the average wait for a post-mortem in the Southern general hospital is 10 days. It can go beyond that, of course. In a recent, but not isolated, incident in

my constituency, my constituent's mother passed away on the seventh of the month, the post-mortem did not take place until the 22nd and the funeral could not take place until the 26th. I am sure that the cabinet secretary would agree that that is an unacceptable wait for any bereaved family, and that it adds to the trauma of a sudden death.

Will the cabinet secretary work with the Cabinet Secretary for Health and Wellbeing to investigate those matters and end the unacceptable delays that affect bereaved families in the west of Scotland?

Kenny MacAskill: I certainly agree that a sudden death is traumatic for the relatives and that we must look after the interests of those who are suffering.

I understand that the matter has been raised previously in correspondence by Mr McNeil. That correspondence was passed to Mr John Green, the head of the Crown Office's Scottish fatalities investigation unit, to consider. Mr Green telephoned Mr McNeil's office on 1 February 2013. I understand that Mr McNeil was absent, but Mr Green spoke to one of Mr McNeil's staff, apprised him of the situation and indicated that he would be happy to discuss anything further with Mr McNeil upon his return. So far, I understand that no follow-up contact has been received by Mr Green, but I suggest that Mr Green is still willing to engage with Mr McNeil and that, in order to try to achieve the outcome that Mr McNeil and I agree on, which is a reduction in the trauma for the victims, Mr McNeil should speak to Mr Green.

Duncan McNeil: Mr Green confirmed the details that I have outlined this morning, which contradict the cabinet secretary. There was a 10-day wait, according to Mr Green. However, the point is that there are two cabinet secretaries involved in this matter—the Cabinet Secretary for Justice and the Cabinet Secretary for Health and Wellbeing. Since I spoke to Mr Green, I have asked the Cabinet Secretary for Health and Wellbeing questions about the issue. Both cabinet secretaries should get together and get it sorted.

Kenny MacAskill: Under the constitutional arrangements, it is the Crown Office and Procurator Fiscal Service that deals with this matter. [*Interruption.*]

The Presiding Officer: Order.

Kenny MacAskill: That is perfectly appropriate, because it is challenged to look after the best interests of our communities. It does so in an impartial way, and that is how post-mortems are carried out. I suggest, therefore, that Mr McNeil should take up Mr Green's offer to discuss the matter. The Government is happy to do what we can—my colleague, the Cabinet Secretary for

Health and Wellbeing will deal with the particular medical matters—but post-mortems are a matter for the Crown Office and Procurator Fiscal Service, and Mr McNeil would do well to speak to Mr Green, the head of the Crown Office's Scottish fatalities investigation unit, who called him on 1 February.

First Minister's Question Time

11:59

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S4F-01206)

The First Minister (Alex Salmond): I will be looking at the situation in Raasay, because I was asked at First Minister's question time last week what could be done about the issue of sporting rights on the island. I am happy to inform the Parliament that the Minister for Environment and Climate Change, Paul Wheelhouse, spoke to the crofters of Raasay this morning to inform them that he has been able to extend their lease for sporting rights on the island for another year. The contract that was awarded to South Ayrshire Stalking has been withdrawn by mutual consent—we welcome its positive attitude to resolving the issue. Mr Wheelhouse will meet community representatives on the island tomorrow to discuss the matter and underline the Government's continued support for furthering the land reform agenda, including the championing of community management and ownership wherever possible.

Johann Lamont: I thank the First Minister for that information. We will want to know, of course, what will happen in a year's time. The decision was one of the most astonishing by any minister in this Parliament since 1999. If the First Minister is making a commitment to sort it, then of course we are very grateful to him.

The latest figures on waiting times in accident and emergency units in Scotland show that the guarantee of treatment within four hours is being breached the length and breadth of the country. Does the First Minister agree with Margaret Watt, chair of the Scotland Patients Association, that the latest figures for accident and emergency waiting times are shocking?

The First Minister: There is no doubt that this winter has been a challenging time for accident and emergency units across Scotland. The reasons for that are well known and well understood, being norovirus and the incidence of respiratory infections that have resulted in hospitalisation.

The plan announced by the Cabinet Secretary for Health and Wellbeing to switch £50 million of new investment into accident and emergency departments is a substantial effort to ensure that our accident and emergency units around Scotland are able to cope with extreme pressures. That decision by the health secretary and the welcoming response that it has had across the

health service should also be welcomed across the chamber.

Johann Lamont: We know that when the First Minister abandons his usual bluster for his wee quiet voice and calls for all of us across the Parliament to be concerned, the reality of what the Scottish National Party is presiding over must be absolutely appalling. We know that we have to plan for winter. If £50 million was available, why was it not made available earlier, rather than in response to a crisis?

What the First Minister says is simply not good enough. Members will recall that we were told by Alex Neil that the case of John McGarrity, the 84-year-old man who spent eight hours on a hospital trolley after being rushed to hospital with a chest infection, was not a true reflection of the national health service under the SNP. In one way he was right. It turns out that last December alone more than 300 John McGarritys waited even longer than eight hours. The reason for a four-hour waiting target for A and E treatment was to guarantee quality care to those patients in the greatest need. Can the First Minister tell me, when was the last time that the four-hour target was met for Scotland as a whole?

The First Minister: The monthly figures on accident and emergency have been substantially improving over the period. Of course, meeting the four-hour waiting-time target, in terms of the percentage, has been increasing as part of the general move towards improvement in the health service.

The reason why I respond to issues such as the health service in the way that I do is that they are extremely serious issues. The health service is a subject, particularly in terms of patient care, that should be treated in that manner. There are points to make, of course, about the support that this Government has given to the health service. We have guaranteed the health service—and ring fenced—its resource funding. It was not clear that the Labour Party would do that, either in 2007 or, indeed, in the run-up to the 2011 election. If I remember correctly, the number of consultants in accident and emergency units across Scotland has doubled over the past few years. However, it is quite clear from the winter pressures on the health service over the past few months that the accident and emergency units must be further strengthened to meet such strong conditions, which is exactly what the health secretary has done.

It is significant that that positive action, which I think will mean the recruitment of another 200 staff in accident and emergency units around Scotland, has been broadly welcomed across the country as a serious response to a serious issue. I hope that it can also be welcomed across this chamber,

since it affects the constituents of each and every one of us.

Johann Lamont: There have been six First Minister's question times since January this year. I can only assume that, on the other four occasions on which the First Minister shouted and bawled in defence of his NHS policy, he was not being serious about the challenges that were put to him.

This is a really serious matter. What do you do in Government when reality confronts you? The last thing that you do—as we have seen again just now—is retreat to debating points rather than focus on what has happened to people. [*Interruption.*]

The Presiding Officer (Tricia Marwick): Order.

Johann Lamont: The First Minister is not serious if he continues to contend that the problem is that it is winter and that the miraculous appearance of £50 million will solve the problem. He has not listened to staff and he has not listened to patients.

The First Minister did not answer the question, either. It would appear that he either has not read his own report or does not want to admit the answer in the chamber. The report says that

“the last time compliance was met across Scotland was September 2009.”

That is more than three years of letting patients down at one of the most vulnerable times in their lives.

Yesterday, the Auditor General told us that Nicola Sturgeon ignored warning signs when it came to waiting times. Did she also choose to ignore the warning signs about A and E?

The First Minister: What Johann Lamont forgets is that the target has been increasing throughout the past four to five years as a result of the targets of continuous improvement in the health service. That has to be taken into account when measuring the figures. By any reasonable estimation, the response that the health secretary has made is a substantial response to prepare for winter pressures and to reinforce accident and emergency units across Scotland.

I disagree with Johann Lamont about the evidence of the Auditor General. What I saw the Auditor General say at the Public Audit Committee yesterday was:

“We have not found evidence of manipulation at all.”

[*Interruption.*] I am quoting the Auditor General. That is in direct contrast to the Labour Party's claims to the contrary over the past few months. Now, I know that, from the Labour Party point of view, it must be inconvenient that the Auditor

General said that at the Public Audit Committee yesterday, but nonetheless she did.

I am sure that Johann Lamont will be the first to acknowledge the range of statistics that were released on Tuesday 26 February, which showed that 90.9 per cent of patients were seen and treated within 18 weeks from initial referral to the start of treatment. Out of 58,070 patients, only seven missed their 12-week treatment time guarantee. That means that 99.99 per cent were treated within the guaranteed time.

Let us have an acknowledgement that the health service, even under the significant pressures on it this winter, is performing extremely well across a range of measures. That does not mean that it is perfect or that it does not make mistakes—it can make mistakes, like any human organisation—but the basis of our treatment of the health service should be that of a public service that is performing extremely well.

Johann Lamont: Whether the First Minister says it in a quiet voice or a loud voice, the same problem remains: he is entirely in denial about what is happening in the national health service. He may come and say, “Yes, I hear what you say, but actually everything is fantastic”, but that is not the lived reality of people in hospitals the length and breadth of Scotland and it is not what his staff in the NHS are telling him.

Does the First Minister not realise how ridiculous he sounds, protecting his former health secretary and defending his record in this way? Apparently, to be like Nye Bevan, you have to get an amber warning from Audit Scotland, mislead the country on waiting times and ignore the warning signs of failing accident and emergency wards that are struggling to cope.

Does the First Minister not realise that this is about policy, not slogans? It is not about him winning or losing votes but about saving people’s lives. Does he not see that, by denying the truth—

Richard Lyle (Central Scotland) (SNP): That is not true.

The Presiding Officer: Order.

Johann Lamont: Does the First Minister not see that, by denying the truth of the scale of the problem, he is denying the sick and the vulnerable the treatment that they so desperately need?

The First Minister: Obviously, if Johann Lamont reads out a pre-prepared question, she cannot take account of the answers that she has been given in response to the previous three questions. Because of the nature of the issue I have tried to deal with it seriously. By any estimation, the health secretary’s response to the pressures on accident and emergency departments is serious indeed.

On the overall position and whether or not the NHS is improving on its treatment of patients, the median—the mid-point, or the average, in that sense—waiting time for all patients, including people who are medically and socially unavailable, has reduced from 40 to 32 days since 2008. The average, or median, across the waiting list has improved—that is a fact from the figures. That indicates a health service that has been responding extremely well.

We also know a number of other things. This Government strives to protect the revenue budget of the health services and it has done so. That is not an uncontroversial political move and it was not supported by the Labour Party in 2007 or in the run-up to the 2011 election. The proof of the pudding is, of course, to look at the only place remaining in these islands where the Labour Party is in administration, which is Wales. In Wales, Labour has not protected the health service’s revenue budget because of the pressures that that Administration has been under as a result of the cuts from London. Therefore, it is instructive to look at the comparisons between Scotland and Wales on the statistics that are being produced. From initial referral, 90.9 per cent of patients in Scotland were treated within 18 weeks. In Wales, under Labour, where there is a 26-week target, 81.3 per cent of patients were treated within that target.

I make the point to the Labour Party that this Government has pledged to protect the revenue budget of the health service. The performance of the health service for all patients has, undoubtedly, been increasing over the past few years. The Labour Party did not come to the recent budget negotiations with any plan to increase the funding of the health service. Indeed, the consequence of its plan on housing—if it can be called a plan—would be to reduce funding for other key public services.

I am entitled to say that this Government has protected, under the most extreme public finance circumstances, the resource provision of the health service. The overall performance of the health service has undoubtedly been improving—the health service is not perfect and makes mistakes, as any human organisation does—and we have a health secretary who has shifted key resources into accident and emergency to deal with the winter crisis. That is an indication of a Government that defends the most crucial public service in Scotland, and defends it to the absolute utmost.

Prime Minister (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the First Minister when he will next meet the Prime Minister. (S4F-01198)

The First Minister (Alex Salmond): No plans in the near future.

Ruth Davidson: The difference between the First Minister's attitude and manner in relation to waiting lists from last week to this week is astonishing. The reality is that, no matter what tone he takes in the debate, thousands of people across Scotland are waiting far too long for treatment.

Last week, the First Minister's lame excuses were that the computer system was not up to scratch and that too many people were on holiday to report for treatment. Yesterday, the Auditor General told the Parliament that that was nonsense. If the First Minister wants to quote the Auditor General, then let us quote from the Auditor General. She said:

"the information was available ... it wasn't acted upon ... it should have rung warning bells"

for the Scottish Government.

What is the First Minister's excuse now? Is it really that autumn turned to winter?

The First Minister: If we are swapping quotes from the Auditor General, I should have completed the quote that I gave earlier. The Auditor General said:

"We have not found evidence of manipulation at all."

She also said:

"It was clear that the IT systems needed to improve."

That was the point—and onus—of Audit Scotland's report.

The complaint is that 23 per cent of patients on the waiting list related to social and medical unavailability, but we also know from past statistics that that compares with 33 per cent of patients on the waiting list under the Labour Party in 2006.

There are genuine reasons for social unavailability. There are a number of reasons why people may not be available for the treatment that they need: medical reasons and, indeed, social reasons. That was not the issue at stake. The issue at stake was whether other health boards in Scotland had repeated the malpractice in Lothian of wrongly allocating people to social unavailability. That is why it is very important that the Auditor General made it clear yesterday that Audit Scotland did not find evidence of such manipulation throughout Scotland.

Let us have just a little bit of recognition that the new patient-determined system that was introduced last quarter provides a mechanism and method by which we can all be assured that patients have all been attributed to the right codes.

Ruth Davidson: Let us look further at what the Auditor General said, which is that if national health service boards and the Government had been looking at the other information that was available, such as the increasing use of social unavailability codes, that should have raised some warning signs, which would have merited further investigation.

The Government's complacency about treatment targets relates not just to treatment over the 18 weeks but starts when people first enter accident and emergency.

Only this week, a Scottish Government spokesman insisted that there were no accident and emergency admissions targets at all. However, the Government's own ISD Scotland documents state clearly that NHS boards are tasked with reducing the attendance rate in emergency departments. That is despite the Royal College of Physicians saying in the Scottish Government's press release that accident and emergency admissions would soar by 13.5 per cent by 2020.

The First Minister cannot blame the computers or people's holidays. Now his own spokesman cannot deny what is in his own documents. There are targets and the Government is missing them. Does he or anyone else in the Government know what is going on inside the health service?

The First Minister: Every week, the same question is asked about Ruth Davidson's questions at First Minister's questions.

Obviously, there are targets across accident and emergency in Scotland. We have just discussed those targets and the health secretary's action to ensure that the health service throughout Scotland can respond to the strong pressures.

As I pointed out to Johann Lamont, if we look at what has happened to median waiting times, including social unavailability and medical unavailability—the lot—we see that they have been reducing over the past few years.

There is another aspect that is pretty important: the satisfaction rate among patients—the people who experience the health service—which is running at near record levels in Scotland at the moment.

I will say one last thing to Ruth Davidson—given the tenor of today, I will say it as gently as possible. Given the Conservatives' record of disaster in the health service—the history of their administration of the Scottish health service when they were, unfortunately, in charge of the Scottish Office, the situation that prevails south of the border, the extraordinary cutbacks and the lack of belief in public service—the last people who should come to proclaim their faith in a public

health service are a political party that, over a generation, has done its level best to undermine it.

Tavish Scott (Shetland Islands) (LD): Is the First Minister aware that Shetland crofters who are owner-occupiers cannot currently decroft their land, which causes immediate legal and financial difficulties? Is he aware that I have raised the matter with ministers and have yet to have an answer? Does he accept that the mess was caused by the Crofting Reform (Scotland) Act 2010 and will he undertake to look into the matter and report immediately back to Parliament? If he can fix Raasay in a week, will he fix the Shetland mess by next Thursday as well?

The First Minister: I am glad that Tavish Scott acknowledged the speed of action on Raasay because, only this morning, he complained in *The Scotsman* about the lack of it. I assure him that I will apply as much concentration and thought to the genuine constituency issue that he mentions, and we will see whether ministers can provide some satisfaction in resolution of that problem as well. We are here to help. [*Laughter.*]

National Health Service (Medical Negligence Claims)

3. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the First Minister what action is being taken to reduce the cost of NHS medical negligence claims. (S4F-01213)

The First Minister (Alex Salmond): The most important thing that is being done is the introduction of the Scottish patient safety programme in all of Scotland's acute hospitals to reduce adverse incidents, to improve critical care outcomes and to strengthen organisational and leadership attention on improving safety. Murdo Fraser will know that Don Berwick, the former Obama adviser whom the Prime Minister has tasked with improving patient safety in England, has said of the patient safety programme in Scotland:

"The Scottish Patient Safety Programme is without doubt one of the most ambitious patient safety initiatives in the world ... making Scotland the safest nation on earth from the viewpoint of health care."

Murdo Fraser: I thank the First Minister for his response, but the rising cost of medical negligence claims must be a concern, not least because it means that there is less money to spend on front-line services. The Scottish Government's proposed no-fault compensation scheme would certainly have benefits, but it could lead to a 50 per cent increase in the cost of claims. At current figures, that would represent an extra £18 million per year, or the equivalent of the salaries of 840 nurses.

In light of that, will the First Minister look seriously at all options for addressing the issue, recognising that many of those who suffer bad treatment at the hands of the NHS simply want an explanation and an apology rather than financial compensation?

The First Minister: We think that no-fault compensation is an important way to progress the issue. Murdo Fraser should acknowledge that the direction that the statistics have been taking in Scotland should give us pause for thought.

Like Murdo Fraser, I read the article in *The Herald* on Monday with great interest. It made a point that led me to carry out some further investigation. It said:

"As some cases can take years to resolve, some of the payouts may relate to pre-2006 negligence incidents."

I was particularly interested in the 2010-11 figures, which showed a huge spike in compensation payments to £60 million. It turns out that, in that year, just three claims totalled £18.1 million, but those claims stem back to incidents that occurred in 1989, 1993 and 2004. That tells us two things: first, that we should be very careful about looking at the year in which money is paid out, as opposed to the year in which a claim originated; and, secondly, that—as the extraordinary length of time before settlement tells us—an initiative such as no-fault compensation might well be called for.

I accept that the issue should be a matter of substantial concern, but it should be noted that the sum that was paid out in 2011-12, which amounted to £27.2 million, represents about 0.3 per cent of the resource budget of the NHS in Scotland. The equivalent figure in England is 1.3 per cent, which is some four times higher. We should recognise that the issue requires to be tackled through an initiative, which is what no-fault compensation is designed to do. We should also put the issue in perspective and recognise that it is one that I suspect is being encountered by health services across the western world. The Government's initiative is a genuine attempt to address the circumstances of the issue.

Jackie Baillie (Dumbarton) (Lab): Does the First Minister recognise the substantial concerns that have been expressed by the legal and the medical professions about the proposals for no-fault compensation, which are about not just the additional cost but the lack of detail on how such a scheme would operate effectively? Will he therefore review the proposals to take on board those concerns and consult again before proceeding further? I am sure that he would agree that it is important that we get this right.

The First Minister: We have taken and are taking substantial care. My previous

understanding of Jackie Baillie's position was that she supported no-fault compensation.

I hope that some of the statistics that I have given and the analysis that I have provided of current claims against the health service will encourage people to agree that there are issues that must be looked at in substantial detail. It is clear that the current situation is a matter of serious concern.

As I have just indicated and as I am sure that Jackie Baillie will want to acknowledge, the figures that we are seeing now relate to claims that date back years—issues that occurred a substantial number of years ago. They tell us that an initiative is necessary to bring the issue under control. They also tell us that perhaps we should look behind the situation before drawing conclusions such as those that Jackie Baillie, unfortunately, tried to draw in the press this week. I am sure that, when it comes to no-fault compensation, Jackie Baillie would be the very last person in the chamber to try to score political points by attributing claims to the current year when they refer to issues that arose a substantial length of time ago.

Economy (Downgrading of Bond Rating)

4. Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): To ask the First Minister what the impact will be on the Scottish economy of the downgrading of the United Kingdom Government's bond rating. (S4F-01203)

The First Minister (Alex Salmond): The decision to downgrade the UK's credit rating confirms the utter failure of the UK Government's economic strategy. There were substantial warnings from this Government and from others that the approach that has been taken to austerity could undermine the possibility of growth, and the evidence to support that view has become ever more clear. I hope that the Chancellor of the Exchequer will now heed the warning, and that instead of reinforcing the disastrous policies that he has been pursuing, he will consider the opportunity that next month's budget provides to boost real investment in the real economy.

Jamie Hepburn: Moody's set out one of the reasons for its downgrade action as being

"further potential austerity measures included in the government's next Comprehensive Spending Review".

Does not that demonstrate that Scotland's remaining part of the UK threatens rather than secures Scotland's fiscal position, and that those who have argued that we must be part of the UK in order to maintain a AAA rating have been shown to be completely wrong? Surely no one can trust a word that the no campaign says.

The First Minister: Amazingly enough, into my hands has come a no campaign leaflet. It says that

"one reason why we're better together"

is the UK's AAA rating. I am sure that the unified ranks of the Liberal Democrats, the Conservative Party and the Labour Party will immediately want to withdraw that misrepresentation from circulation.

Gavin Brown (Lothian) (Con): The pound appears to have held up against the dollar and the euro, the FTSE has held up and yields on bonds have held up. Is the First Minister disappointed with the market reaction to the downgrade?

The First Minister: What I am "disappointed with" is political spokesmen who first say that AAA is the be-all and end-all when it comes to Scotland, but who now say that it does not matter when it comes to the United Kingdom.

Let me quote an enormous sage and real authority on these matters—someone who, I am sure, Gavin Brown would treat with the utmost respect: Alistair Darling. In commenting on the mistakes and failings of the Conservative Party, which he is now leading in a joint campaign, Alistair said:

"It was very unwise to stake their reputation on maintaining the triple A rating."

If we come to the conclusion that even the master of disaster, the author of all the misfortunes, the chancellor who led this country into the greatest recession since the 1930s, believes that the Conservative Party is incompetent, the rest of us can only say that we agree, on this occasion, with Alistair Darling.

Education (New National Qualifications)

5. Hugh Henry (Renfrewshire South) (Lab): To ask the First Minister what action the Scottish Government is taking to address concerns expressed by teachers in an Educational Institute of Scotland survey on readiness for the new national qualifications. (S4F-01208)

The First Minister (Alex Salmond): Hugh Henry and I agree that curriculum for excellence is the most important educational development in a generation. It has been shaped and implemented in partnership with teachers, parents and learners. In response to teachers' concerns, we are rolling out a package of support, which has been agreed with the Educational Institute of Scotland. It includes an additional £3.5 million and two additional in-service days in 2012-13 for every secondary school, as well as a wide range of support materials.

Hugh Henry: Teachers will welcome any additional support. If the First Minister has confidence in the actions that have been taken, will he give his personal guarantee that no Scottish pupil will be disadvantaged by the changes?

The First Minister: The changes will be good for Scottish education and therefore, by definition, good for each pupil. Today has seen release of more support materials, including specimen exam papers, which complement the support that has already been provided, which I mentioned. That will be completed with additional materials in March and April. The full package will enable teachers to deliver the new qualifications with confidence; I know that Hugh Henry understands that it contains exactly the material that many teachers have been calling for.

Economy (North Sea Oil Investment)

6. Kevin Stewart (Aberdeen Central) (SNP): To ask the First Minister what impact the reported 30-year high in North Sea oil investment will have on the Scottish economy. (S4F-01200)

The First Minister (Alex Salmond): I think that the survey from Oil & Gas UK that was released on Monday is hugely significant, because it shows oil and gas investment rising to the highest level for more than three decades.

These are exciting times for the industry. There have been a number of substantial recent investments in the North Sea. Dana Petroleum and Statoil have announced major investments, and the latter's investment in the Mariner field is expected to result in 30 years of production. Furthermore, a substantial new oil discovery was recently announced by TAQA at the Darwin oil field in the northern area of the North Sea.

The Scottish Government will shortly publish the first in a series of analytical bulletins on oil and gas. The new analysis demonstrates the vast potential that remains. Scotland's share of United Kingdom oil reserves is estimated to be in excess of 90 per cent, which is some 60 per cent of the reserves of the entire European Union.

The oil and gas sector will remain one of Scotland's outstanding sectors for many years to come. We have vast reserves and wealth remaining. I fully agree with Professor Joseph Stiglitz, who gave evidence to Parliament yesterday, that that wealth must not continue to be squandered by the UK Government.

Kevin Stewart: The oil and gas industry is the economic powerhouse of not only the Scottish economy, but the UK economy. Even George Osborne's disastrous changes to the tax regime, which have since been reversed, failed to stymie investment. Does the First Minister agree that it is

the success of the oil and gas industry that is propping up the Chancellor of the Exchequer's failures, and that the fruits of our precious resource would be much better spent on creating a fairer, more socially just and independent Scotland?

The First Minister: I agree with that, and I agree that it is a tribute to the strength of the industry that it has managed to withstand even the ministrations of George Osborne.

I was particularly interested to note one of the items in the analysis in the Oil & Gas UK report, on the significance of the £20 billion-worth of investments over the past two years. It stated that production from those investments alone will rapidly rise to half a million barrels of oil a day by 2017 and will pay more than £3 billion additional production tax in that year. Members will be aware, of course, that we expect 2017 to be the first full year of an independent Scotland.

Lewis Macdonald (North East Scotland) (Lab): Did the First Minister also see this week the comments by Geoff Holmes of Talisman Sinopec Energy UK? He said that the growing investment in the North Sea needs to be underpinned by skills in order to ensure that that development can continue to be as safe as it has been in the past 25 years. If the First Minister saw that comment, does he agree that the answer is to locate the energy skills academy in Aberdeen without delay, in order to support the oil and gas industry going forward?

The First Minister: Detailed announcements on the oil and gas academy, which I know Lewis Macdonald supports whole-heartedly, will be made in the very near future, and I hope and anticipate that they will be welcomed by him.

Point of Order

12:33

Tavish Scott (Shetland Islands) (LD): On a point of order, Presiding Officer. I refer to standing order 7.3 and your comments on 5 February.

Members will have heard on Radio Scotland this morning the Cabinet Secretary for Finance, Employment and Sustainable Growth explaining the contents of a Government report that asserts what will happen after a vote for independence. That document adds to the list of those that have been released to the media without the courtesy of the appropriate parliamentary route being taken.

My colleague Willie Rennie raised that point on 5 February with you, Presiding Officer, when a previous report was released to *The Sun* and the BBC before Parliament had seen it. That fact was confirmed by an answer to a parliamentary question that I had from the Deputy First Minister yesterday.

The matter is important because the Government has promised another dozen reports in the coming weeks. Parliament is democratically elected. It may be inconvenient for ministers sometimes to have to stop what they are doing in order to report to Parliament, but that is the democratic system. We now have a situation in which the Scottish Government treats the Parliament with contempt. [*Interruption.*]

The Presiding Officer (Tricia Marwick): Order.

Tavish Scott: Presiding Officer, if you are prepared to act in defence of the Parliament, you will have our full support.

The Presiding Officer: I thank Tavish Scott for the advance notice of his point of order.

I have made my position clear on many occasions; I expect any major policy announcements by the Scottish Government always to be made to Parliament, in the first instance. The Scottish Government can inform Parliament in a range of ways, including inspired questions or ministerial statements. The paper to which Mr Scott refers is the second in a series of discussion papers, and I know that the issue was raised before, when the first paper was announced.

I ask the Scottish Government to reflect carefully on whether the method that was used for those particular announcements was appropriate and followed the good practice guidance on making announcements in Parliament. I add that the Scottish Government should always ensure that it treats Parliament with the respect that it deserves.

Enough Food for Everyone If Campaign

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a members' business debate on motion S4M-05450, in the name of Sarah Boyack, on enough food for everyone if Scotland plays its part. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the recent figures from the Food and Agriculture Organization of the United Nations suggesting that 870 million people, or one in eight, were affected by chronic undernourishment in the period 2010 to 2012; welcomes the campaign, Enough Food for Everyone IF, which was launched on 23 January 2013; understands that this has the support of nearly 100 organisations across the UK; notes that a number of these bodies are also members of the Network of International Development Organisations in Scotland, which recently organised the Scotland v Poverty Exhibition that travelled to various venues around the country, including the Lothians, to draw attention to Scotland's response to global poverty and hunger; understands that the Enough Food for Everyone IF campaign calls on the UK Government to meet its promise of spending 0.7% of national income on overseas aid and to use its presidency of the G8 in 2013 to push for global action to tackle tax dodging by multinational companies, end land grabs affecting poor farmers in developing countries and introduce greater transparency by companies and governments in order to enable citizens to hold the powerful to account and ensure that resources are used to help poor people; understands that the campaign has also launched a Scottish manifesto that argues that the country can play its part in ensuring that there is enough food for everyone if it supports the Climate Justice Fund, actively supports fair and ethical trading through its procurement processes, contributes to the global debate on land rights, invests in global citizenship education and audits the impact of Scotland's public and private sector on developing countries, and hopes that the Enough Food for Everyone IF campaign is a success.

12:37

Sarah Boyack (Lothian) (Lab): I welcome the opportunity to lead the debate, and I thank members from across the Parliament who signed my motion. I place on record my thanks to the enough food for everyone if campaign for its support in briefing members ahead of the debate and to groups such as Oxfam, the Scottish Catholic International Aid Fund and Save the Children for giving us such superb briefings.

My motion starts with the simple statement that, around the world, 870 million people, or one in eight of the total population, are affected by chronic undernourishment. Every year, 2.3 million children die of malnutrition, and those who survive experience long-term health impacts that limit their development. Those facts are a global scandal and highlight the inequalities that still exist between the world's developing and developed countries. Of the 870 million undernourished

people in the world, the overwhelming majority live in developing countries. They experience higher levels of poverty and have low incomes and poor healthcare, education and nutrition. In the developing world in particular, those challenges are compounded by conflicts, natural disasters and climate change, which put further pressure on food security.

In recent decades, action has been taken on hunger at international level and some progress has been made, but not enough. The United Nations Food and Agriculture Organization stated, in publishing its latest figures on undernourishment, that the millennium development goal of halving the proportion of hungry people by 2015 is still achievable. However, although the proportion of people who are hungry dropped from nearly 19 per cent to 12.5 per cent over the past two decades, the world's population has grown, so the reduction in the number of people who are hungry has not been as pronounced. Despite initial progress towards the MDG target, we now have the impact of the global financial crisis. In fact, in Africa, the number of people who go hungry has increased in recent years. Research by Save the Children shows that, in 2012, the number of hungry children in the world rose for the first time in a decade.

The if campaign is crucial in putting the issue on our agenda. It is the largest coalition of its kind since the make poverty history campaign and brings together nearly 150 development organisations that cover a broad range of interests, including some of the United Kingdom's best-known and respected charities. More than 50,000 people have signed up to support the campaign, and there have been more than 90,000 tweets about it. The campaign has backing from high-profile figures such as Bill Gates, Desmond Tutu and Joyce Banda.

We need to reach a tipping point at which the calls for action are so loud that world leaders cannot ignore them. This year, 2013, can be the beginning of the end for global hunger, but only if we act together at all levels of government and society. Many of the Scottish organisations that are involved have embraced a proactive approach, through the network of international development organisations in Scotland—NIDOS—whose recent travelling exhibition, Scotland versus poverty, drew attention to our response to global poverty and hunger. I was proud to welcome NIDOS to our Parliament in January.

This Parliament and Scottish Governments past and present have rightly sought to support international development. Our close links with Malawi, in particular, will be visible this year as we celebrate the bicentenary of the birth of David Livingstone. However, as the if manifesto points

out, there is much more that we in Scotland can do now to support, protect, inspire, learn and improve as part of our commitment to the developing world.

For example, we can take action on climate change. Crop yields could fall by half in parts of Africa by 2020 and up to a third in Asia by 2050. Support to help smallholder farmers to adapt to extreme weather is fundamental to tackling hunger. Our Climate Change (Scotland) Act 2009 has been described as world leading; we now need to go faster. The if campaign has an on-going commitment from the Scottish Government to the international development fund and the climate justice fund. Given that the Government supports those funds, I would be interested to hear from the minister how they will be developed in future.

There is also Fairtrade fortnight. At the start of this week, it was announced that Scotland has achieved fair-trade nation status. We should be proud of that achievement and do more to support fair trade and ethical purchasing. As the if campaign points out, tax avoidance by big business and wealthy individuals denies developing countries vital resources that could be used to combat hunger. There are opportunities for the Scottish Government to lead by example and further support ethical purchasing decisions through the forthcoming procurement reform bill. Transparent reporting, to assess the direct and indirect impact of the Scottish Government's policies on the developing world, would strengthen the approach.

Support for the development of sustainable agriculture is key. The poorest farmers are losing out, because land grabs are taking away their agricultural land, which is being given over to non-food crops.

The if campaign highlights that the responsibility for tackling the problems that face the developing world rests with all of us. Fantastic work on global citizenship is going on in Scotland's schools to teach young people to understand international issues and their role and responsibility in bringing change. However, demand for development education centres, which provide professional support for that fantastic work, is outstripping supply, so some teachers and pupils are missing out. I hope that the minister will reflect on that challenge and say what the Scottish Government is doing to ensure that there is enough support for global citizenship learning throughout our schools.

At a recent meeting of the cross-party group on international development, the minister said that the Scottish Government is giving close consideration to the objectives of the if campaign. I hope to hear today from the minister what he and his Government will do to provide active support.

The campaign's four main themes at UK level are aid, land, tax and transparency. The UK takes on the presidency of the G8 this year, so we should be well placed to set a positive example and put world hunger firmly on the agenda. Today, I hope that we will show that the Scottish Parliament continues to be fully engaged with and committed to the issues. I hope that we can send a message to the Scottish and UK Governments that we want everyone to make 2013 the beginning of the end for global hunger.

12:44

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): Let me be the first member to congratulate Sarah Boyack on securing this debate—I must apologise to Ms Boyack, because I will not be able to attend her reception next week. The enough food for everyone if campaign is an excellent and important initiative, which is well worthy of debate. I also congratulate all the organisations that are involved in the campaign. It is good to see them coming together in that fashion.

“If you, if we, if everyone believes
in no hunger or despair
We'll change the world for everyone.”

That is the chorus to a song that was written by Whitelees primary school in my constituency and performed at the launch event for the campaign. I was very happy to visit Whitelees primary on Monday to see that song performed, which was excellent and reaffirmed the school's commitment to concepts of global citizenship, which have been well entrenched by its headteacher, Ann Kay. The school has done work of that nature before; in fact, it wrote another song for fair trade and worked on it with SCIAF. I know that the school hopes to record its current song and work with SCIAF to do a bit more fundraising. I wish it well in that regard. While I am at it, I invite the minister to come and visit Whitelees if he gets the opportunity. I know that he would be made welcome and I am sure that the school would love to perform the song for him as well.

Earlier this week, the prophet Isaiah was mentioned at time for reflection. I am reminded of one of his commands, to “undo the heavy burdens” of the oppressed. I think that we would all agree that doing the best for their children is a human imperative for all parents. I know that when I am with my children, that is the imperative that I have. Trying to do the best for one's children should not be viewed as a heavy burden, but for too many around the globe it is. No one should see their child die before them, least of all because of hunger, yet we know that four children die every minute because of malnutrition. That is why the if campaign is important.

We know the four key aspects of the call on David Cameron to use the UK's G8 presidency this year to take action on the root causes of the hunger crisis in the poorest countries. We know that it is about stopping farmers being forced off their land; trying to get Governments to keep their promises on aid; trying to get Governments to close loopholes to stop big companies avoiding tax in poor countries; and forcing Governments and investors to be open and honest about the deals that they make in the world's poorest countries. Those would be far better aims than redirecting international aid to defence spending, which has been suggested elsewhere. I hope that the UK Government will respond to the call and I am sure that the Scottish Government will put pressure on it to do so.

Malnutrition also affects children's life chances. Sarah Boyack talked about the health impacts on those who survive malnutrition. Save the Children has told us:

“Malnutrition can undermine children's future earning potential by as much as 20% and inhibit economic growth by as much as 3% of GDP”.

That is perhaps not something that we think of when we consider this challenge. It is an important point to make, because the life chances of those affected by poverty have to be part of the equation as well.

I hope that the Scottish Government will respond to the calls from the campaign, which has set out a number of ways that we can help here in Scotland. I thought that one of the interesting ones was to try to reflect on Scotland's historical experience of land-rights issues in the Highland clearances and the Lowland clearances and perhaps to host a global land hearing to discuss how lessons from Scotland's experience can help inform better practice around the world. I will be interested to hear how the Scottish Government can take that forward. I congratulate Sarah Boyack once again on securing the debate.

12:48

Alison Johnstone (Lothian) (Green): I welcome the opportunity to discuss these issues in the chamber today. The resources of so many organisations working together can help focus minds on important global issues such as the ones raised by the if campaign and the motion: land grabbing, tax dodging and the impact of Scotland's public and private sectors on developing countries.

Hunger is a devastating, debilitating crisis for a shocking number of people around the world and it is right that we take every action we can to make sure that people have fair access to the resources that they need to feed themselves. The problem is often framed as hunger, but really hunger is not

the root problem; rather, it is a horrifying symptom. Not to investigate the root problem will lead to continual sticking-plaster solutions that we should not be content to accept.

The if campaign recognises that. Its ask for global citizenship education is to increase our understanding of the complex root causes of hunger and to help people recognise their own role in tackling it. Global citizenship makes the connections between the political decisions and actions of powerful people and companies, often in rich countries, and the poverty, inequality and hunger that we see perpetuated around the globe. The powerful influence of some multinational companies, many of which are based in the UK, allows them to avoid tax here and operate in poorer countries at criminally low rates of taxation, extracting natural resources without fair reward for those countries and jeopardising their ability to develop their economies on their own terms.

The issue of tax dodging is on the table today and available for large non-governmental organisations to campaign on because of the bold and creative campaigns of direct action by the likes of UK Uncut, many of whose members are treated as domestic extremists by the UK Government. The Scottish Government can set an example and provide leadership through the forthcoming procurement bill by putting ethical and fair-trade considerations at its core and through a robust, well-resourced and loophole-free revenue Scotland.

This month, a light has been shone on the convoluted, murky supply chains of the meat processing industry that supplies our supermarkets. It reminds us of the power of corporate interests in the food chain, which has an impact on the poorest people in rich countries, as well as on poor countries. It is vital to remember that our approach to global food issues must be informed by the hundreds of millions of farmers in developing countries, and their communities, not just by the Department for International Development or NGOs. Food sovereignty is the unifying call of the amazing La Via Campesina and other farmers' movements. Food sovereignty means returning control over the food system to farmers. We must learn from such movements. We can also learn from the work, perspective and experience of NGOs that are not officially part of the if campaign.

Biofuels are highlighted in the motion. The if campaign says that we must stop poor farmers being forced off their land by biofuels. Demand for biofuels is driven in the UK by an ill-thought-out, mandatory policy that demands that there is a percentage of biofuel in all UK road fuel by April this year. It was introduced by the Labour

Government and urgently needs to be reviewed by the European Union.

The UK Government has presidency of the G8 this year. The if campaign is timed to put pressure on G8 countries to change practices that lock too many poor people into hunger. We should not allow the G8 Governments to make warm commitments but deliver little. That just fuels cynicism and anger. The G8 should not be used by David Cameron to burnish his and his Government's credentials, while cynically promoting a toxic free-market system that widens inequality and removes people's ability to develop on their own terms. Events at home illustrate the need to move away from immense corporate domination of our food chain, which, for too many people, does not work. We need to look outwards and use our new fair-trade nation status to promote positive choices that ensure that people throughout the world are free from a system that locks in poverty and that they are able to develop and feed themselves.

The if campaign is putting world hunger on the agenda. A commitment to end world hunger will need structural change. Here in Scotland, we must play an active part in achieving that change.

12:53

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I congratulate my colleague Sarah Boyack on securing the debate—a debate that is particularly welcome during Fairtrade fortnight. I also congratulate the towns, cities, schools, colleges, universities and church groups and all the other people and organisations that have contributed so much towards Scotland's achievement of fair-trade nation status. It is some time since the intention to aim for that status was first announced, but I do not say that as a criticism. For me, it was always about how many people and organisations we could persuade to join us on the journey and not about getting to the destination quickly or first.

That people go to bed hungry today should be the greatest scandal of our age but the greater scandal is that they go to bed hungry in a world that has enough food for everyone. Save the Children tells us that 2 million children die every year or have their development damaged irreparably because they do not have enough food. It also tells us that malnutrition is the underlying cause of death for some 2.3 million children every year. We know that if someone is not well, and is hungry in the first place, their resistance to everyday diseases will be much more weakened.

We also know that families in the developing world often have to choose between, say, paying

for education and buying food, particularly, it has to be said, when there are girl children in the family. Families should not have to make those choices in this day and age.

Oxfam, Save the Children, SCIAF and the other 147 organisations that support them are right to identify this as a topic to be considered as we approach the next G8 summit. Those organisations are to be congratulated on their imaginative approach to campaigning against this outrage by drawing our attention not just to the problem but to its root causes, and demanding that action is taken to tackle it. They are right to say that the G8 needs to take action to enhance food security and transparency, accountability and governance throughout the food system.

I was going to contrast the ideal of that demand with the horsemeat crisis that we have experienced in recent weeks, but Alison Johnstone has more than adequately addressed that, so I will not bother going back over it. It is welcome that the UK Government plans to use the G8 to focus attention on this issue, but it must go further. It must also look at its commitment to development, and deliver on behalf of us all.

I mentioned fair trade at the beginning of my speech. Of course, one of fair trade's aims is to provide better working conditions for farmers. Many of those working on the land in developing countries are finding rivers diverted, land contaminated and, in some cases, land grabbed from them by wealthy conglomerates. Add to that the fact that climate change disproportionately affects the most vulnerable people in the world and we have a perfect storm of crisis throughout large parts of the world.

The if campaign has identified the problems and the solutions. It is up to us all to make 2013 the year in which we begin to tackle global hunger.

12:57

John Mason (Glasgow Shettleston) (SNP): I thank Sarah Boyack for raising this subject and securing the debate. The briefing material that we have had from Oxfam, Tearfund, SCIAF and others has been impressive.

There is a lot that we can say and there are a lot of figures that we could quote, which others are doing in the debate, but I will focus on two main points. First, we need fairer systems, including for trade and land ownership. Secondly, we need to increase overseas aid. In one sense that is one point, because I believe strongly that we need to do both things.

On the one hand, some would argue that the need is so great today that the issue should be about immediate aid: giving people food. Just

yesterday, I received an email from Tearfund, which asked for money for its appeal for Syria. There and elsewhere the need is present right now, not 10 years ahead. Some would argue that the longer term is a luxury that we cannot afford.

On the other hand, others would say that short-term aid would just need to be repeated and is not worth while, so all the effort should be in long-term investment: changing the rules and changing land ownership. If I can make one point today, it is that we need to do both those things, not either/or, and I am glad that most of the briefings that we have received from different groups have covered that.

I will make some points about a fairer trade system. At a time of economic pressure, such as the one we are in just now, for many in our society the need is to buy the cheapest product—the cheapest food and clothes—and perhaps not worry too much about where it came from. For some in our society, that has to be the case, and we do not criticise them for it.

However, the reality is that many of us can and do make choices about what we buy, how much it costs and where it came from. The reality is that, if we take this country as a whole, we are a rich country. If we reallocated our own income and wealth more fairly in Scotland and the UK, many more people here would be able to pay a fair price for the goods that they buy.

Within the system we need more transparency in company accounts, which is recognised as key. I am an accountant and I whole-heartedly support that concept. It has been estimated that developing countries lose something like £100 billion per annum from tax dodging, and I have seen higher figures than that.

We used to think that it was only developing countries that were being fiddled out of their corporation tax as profits were moved away to western investors, but we now realise that the UK and Scotland are also losing out as multinationals move their profits around. For all those reasons, we need accounts that show the prices at which goods are crossing borders and hence the turnover and profit in each country in the supply chain, which at times, as we have been reminded, can be extremely long.

Land ownership is key to all of this. Our own land ownership, which has been a problem in the past, has been updated but we probably need to go further. Even here, however, we have seen resistance from rich landowners to the reallocation of land ownership. I certainly do not advocate marching into other countries and changing their laws like some colonial power but we can work with and, I hope, support local groups that are seeking to improve land ownership. The Bible has an interesting concept that all land should revert to

the original family every 50 years, but that might be a bit too radical for some.

Finally, we need to give more overseas aid. It has often been said—indeed, we cannot say it often enough—that we should be meeting the 0.7 per cent target and trying to hit 1 per cent in due course. I believe that it is better to give as much of that aid as possible through the third sector rather than through Government; I certainly have more faith in many NGOs than I have in many Governments.

To those who say that we should help those at home before we help those overseas, I say that we are a rich country and can do both.

13:01

Alison McInnes (North East Scotland) (LD): I, too, congratulate Sarah Boyack on securing this important debate.

The world produces enough food for everyone but not everyone has enough food. One in eight people go to bed hungry at night, and each year 2 million children die because they cannot get enough to eat. The enough food for everyone if campaign aims to turn people's shock and anger at hearing those statistics into the will to make a difference, and it asks all of us to unite in saying that the situation is unfair, unjust and totally preventable.

This inspirational campaign, which mobilises people from all walks of life, has a manifesto for Scotland that clearly sets out why we should be involved and what could be achieved here through supporting, protecting, inspiring, learning and improving. I am certainly committed to playing my part.

There is no doubt that the countries most affected by climate change are by and large those that have contributed the least to it, and they are poorly resourced to respond to the challenges that it brings. As a result, I welcomed the introduction last year of the climate justice fund and I support the calls for the fund to match the international development fund by 2016. I look forward to hearing what the minister has to say in that regard.

Scotland can and ought to lead by example. We should use the opportunity of the procurement reform bill to ensure that public sector purchasing decisions do not support trade where goods or services are produced through the use of environmentally damaging methods or the exploitation of workers in poor countries. That purchasing power, which is worth around £9 billion a year, should be used to support change around the world.

SCIAF has pointed out that unfair trade means that smallholder farmers still receive only a tiny

proportion of the price that we pay for our food. Despite producing food for a third of the human race, the majority of the world's hungry people are small-scale farmers; indeed, 80 per cent of the world's undernourished people live in rural areas, the majority of them on small farms. Scotland has a good record in supporting fair trade—indeed, it has just become a fair-trade nation—and we must build on those foundations.

According to Oxfam's briefing note to members, global citizenship education is about understanding the need to tackle injustice and inequality and having the desire and ability to work actively to do so. It is a way of thinking and behaving; it is an outlook on life and a belief that we can all make a difference.

Oxfam also supports the development education centres in Scotland that play such a vital role in providing professional support to teachers and youth workers and equipping them to deliver global citizenship education.

In my region in the north-east, the Montgomery development education centre in Aberdeen is doing sterling work. It has an extensive library of resources that explore, for example, global awareness, citizenship, human rights, the environment and sustainable development, and it supports schools and communities in their quest to include those issues in the curriculum.

Some schools start out on the journey by introducing their pupils to the rights respecting schools award while others highlight more familiar issues surrounding fair trade but, however the journey starts, I am quite clear that this teaching encourages a new way of thinking not only about life in other countries but about how our own communities operate and how to bring about a fairer society.

Although the Montgomery centre works with many schools in Aberdeen and Aberdeenshire, it is currently working in a more immersive way with all staff in six primary schools to embed citizenship education more quickly and thoroughly. Aberdeenshire Council, which Liberal Democrats have been involved in running since its inception, has a member of staff who is seconded to the role of citizenship development officer and she works closely with the centre.

Last summer, a number of primary school teachers from Aberdeenshire travelled to Uganda as part of the global teachers programme, which is run by the Link Community Development charity and funded by the Wood Family Trust.

A global citizenship mindset is key to unlocking a fairer and more just Scotland, and it is important that the good work of the development education centres, which are currently operating on a

shoestring budget, is protected and enhanced. I urge the Government to invest more in that area.

I give my whole-hearted support to the campaign.

13:05

John Scott (Ayr) (Con): I thank Sarah Boyack for bringing this campaign to the Scottish Parliament and for securing a debate on her motion, which I am delighted to support.

I declare an interest as a farmer and a food producer, a very deliberate and conscious career choice at the age of 21, when I returned home from university to run our family farm and produce food for a then hungry world—more than 40 years ago. Regrettably, little has changed: the issue of world hunger is still one of the most serious development challenges that the world faces.

As Sarah Boyack's motion states, nearly a billion people around the world do not get enough food, and undernutrition holds back the growth and development of millions of children. As has already been said, each year 2.3 million children die from malnutrition and 14 per cent of all women, men and children go to bed hungry every night—a truly shocking statistic.

Food prices have recently been at their highest in decades and are increasingly volatile. The high prices affect not only developing countries: even in the UK, many hard-working people struggle to find the money to feed their families, as highlighted this week in north Ayr, in my constituency, where 33 per cent of children—or one in three—are born into and reared in poverty. As anyone who visits a supermarket can see, there is enough food for everyone, but people cannot afford to buy it. The rising number of food banks in South Ayrshire and across Scotland is further testimony to that, if one was needed.

There is little doubt that climate change is having an impact on global food production, and extreme weather events are also causing food price spikes as well as concerns over security of supply. Last year, the Scottish Government announced that it would set up the climate justice fund, and the first funding commitments were announced in June of last year—well done.

The UN summit at Doha this year was a key opportunity to promote the work that is already being done in Scotland and in the UK, and I encourage all countries, particularly those in the EU as they deliberate on the reform of the common agricultural policy, to understand the importance of food security and the implications of climate change and to join us in taking steps to mitigate its impacts.

The motion calls on the UK Government to do more to tackle food poverty and to protect land from abuse. I will outline briefly what is already being done on a UK level. Under the coalition Government, UK annual spend on nutrition has almost doubled from £19.3 million in 2009-10 to £37.5 million in 2011-12. Last year, during the London Olympics, ministers used the international exposure to hold a global hunger summit, which led to the commitment to develop and deliver drought-resistant and vitamin-enriched crops that could help to feed millions of people. As has already been mentioned, women and children are often worst affected by hunger and poverty. By 2015, the UK will have reached 20 million pregnant women and children under five with nutrition programmes.

The if campaign calls for the UK Government to meet its commitment to spend 0.7 per cent of gross domestic product on development spending and to take full advantage of the UK presidency of the G8. This year, the UK Government will become the first G8 country to meet that commitment, and ministers plan to use a major event before the G8 summit to drive further global action to reduce hunger and malnutrition.

The UK Government will also drive forward progress on the G8 new alliance for food security and nutrition, which aims to lift 50 million people out of poverty over the next 10 years through sustainable agricultural growth.

Another concern relating to the provision of food and sustainability of crops is the issue of large companies avoiding paying taxes, thus depriving developing countries of the funds that are necessary to implement food security measures. The Prime Minister has put tackling tax avoidance at the top of the G8 agenda, but this is a global issue that needs to be tackled on a global scale. In the Prime Minister's recent letter to G8 leaders, he highlighted that they can lead the way in information sharing to tackle abuses of the system, including in developing countries, so that Governments can collect the taxes that are due to them.

This is a matter of enormous importance to those who are less fortunate than ourselves and to my constituents at Riverside church in Ayr, who have drawn the if campaign to my attention. I look forward to hearing from the minister what further help the Scottish Government is able to give in support of the enormously worthwhile if campaign.

13:10

The Minister for External Affairs and International Development (Humza Yousaf): This has been a good debate. Like other members, I am grateful to Sarah Boyack for

raising the issue. I recognise her commitment to international development, which, from reading her biography, I see extends outwith this chamber, as she had a passion for the subject even before she was elected to the Scottish Parliament. I am pleased that we are debating this issue.

Contributions across the chamber have been excellent. Jamie Hepburn, Alison Johnstone, Alex Fergusson, Alison McInnes, John Mason and John Scott all did the subject justice. I have only a short time in which to speak, so I might have to give some weighty issues a relatively cursory response, but I will try to address as many as possible of the issues that members raised.

I will start by reiterating the support of others in the chamber for the objectives of the if campaign and its focus on investment, land tax and transparency in support of development. The if campaign manifesto requests that a number of actions be undertaken by Scotland, and the Scottish Government will consider them with care. Last week, I had the pleasure of meeting some of the key spokespeople in the if campaign to discuss the manifesto, and I hope that we will make progress on those matters. Members will appreciate that it has been only a month since the launch of the manifesto. The discussions will be on-going, and we will keep members updated. However, I can give members an outline of what I see as the general direction of the response to the calls of the if campaign.

The launch last year of the climate justice fund—mentioned by a number of members, including Sarah Boyack, Alison McInnes and John Scott—by the First Minister and Mary Robinson, with a £3 million contribution, was a significant innovation. The first of the projects associated with it was announced recently. I note the if campaign's request for additional investment from the Scottish Government in the climate justice fund so that it matches the international development fund by 2016. That is a reassuring sign of the success of the climate justice fund. In the short term, we have announced our intention to host a major international climate justice conference in Scotland in October this year. Campaigners can rest assured that we are consistently thinking about how we can improve that internationally recognised, innovative fund.

On development education, members will know that enabling young people to develop into responsible global citizens is an integral part of the curriculum for excellence. That was mentioned by Jamie Hepburn in particular. I am more than happy to visit the school that he mentioned, should that invitation come. I am only sorry that he did not give us a rendition of the if campaign song.

We want our young people to have an understanding of Scotland's place in the world and

our ability to make informed ethical choices on matters that will affect them now and in the future. We recognise and value the contributions that are made to global learning by Scotland's development education centres, be they in Alison McInnes's region or any other part of Scotland. Therefore, we are pleased to have announced the co-financing arrangement, which followed the successful application to the European Commission. The funding will support valuable projects that raise awareness of issues, including poverty and its effects. More importantly, as Alison McInnes said, those projects will sow the seeds of humanity and compassion in our children.

It was clear, throughout a number of the speeches, that the forthcoming procurement bill is of great interest. It will play a central role in the if Scotland protects element of the campaign. As we know, existing public procurement legislation permits the exclusion of bidders who have been convicted of offences relating to bribery, corruption, fraud or non-payment of taxes.

The procurement bill will establish a legislative framework for substantial public procurement that supports Scotland's economic growth. Among the areas that the bill will look at are public procurement processes that are transparent, streamlined and proportionate; taking account of social and environmental sustainability; and dealing with inappropriate conduct and poor-performing suppliers.

Meetings have already taken place on the specifics of the bill involving Scottish Government ministers, non-governmental organisations and officials. I know that, as the bill is developed, the issues will come to the fore. Guidance will be developed over the coming year to help public bodies comply with the requirements of the forthcoming bill. I am sure that members of the if campaign will take a keen interest in that.

My colleague John Swinney has said clearly that a planned consultation document on a future tax management bill will consider the issue of tax avoidance further and that the Scottish Government is committed to establishing a fair and transparent corporate tax system to attract genuine economic activity and retain it in Scotland, which will adopt rigorous institutional accounting.

A number of colleagues referred to the fact that this debate takes place during Fairtrade fortnight and a few days after Scotland achieved fair-trade nation status. However, as Alison Johnstone quite rightly said, this is not the end by any stretch of the imagination; it is simply the beginning.

The request that the Scottish Government monitor and improve its impact on global hunger and poverty is an important one. The Swedish approach to civil society reporting on Government

will be discussed at a forthcoming NIDOS conference that I will attend, so I will be interested to hear about that.

The suggestion that Scotland use its history to inform current global debates on land tenure is innovative. I will attend an Oxfam event in Helmsdale on Monday, and I look forward to hearing more there about that element of the campaign. We recognise the crucial role that land reform plays in a country's success by improving or preserving the relationship between land and people.

Looking at the wider national if campaign, a number of its asks are currently outwith the gift of the Scottish Government. I will refer quickly to just some points in that regard. The if campaign has requested that the UK Government meet its commitment to the 0.7 per cent gross national income target. I welcome the UK Government's insistence that it will meet that target. It will be the first G8 country to do so, an achievement which is extraordinarily overdue. As we have said, should we have control over international development powers in the future, the Scottish Government would commit to the 0.7 per cent target and look towards achieving 1 per cent.

What is more important is that Scotland would look to develop clear policy coherence for development across Government, building on international best practice, and to ensure that our other policies do not harm the international development policy. With that in mind, I was particularly concerned by the Prime Minister's recent proposal to use aid money on defence. I hope that he will reflect on that further and abandon the proposal.

By giving the issues that the if campaign highlights as much attention as possible and getting the Parliament to speak with a unified voice on them, we can do the issues a great service. I commend Sarah Boyack for bringing forward the debate. I will continue to keep members up to date about our progress on the if campaign manifesto, and I am pleased to close the debate on behalf of the Government.

13:18

Meeting suspended.

14:30

On resuming—

Food Safety Body

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business is a statement by Michael Matheson on Scotland's new food safety body. The minister will take questions at the end of his statement, so there should be no interventions or interruptions.

The Minister for Public Health (Michael Matheson): I would like to update Parliament on the specific action that the Government is taking to reinforce and improve the food safety and standards regime in Scotland, and on the horsemeat scandal.

Members will be aware that work is on-going in relation to the horsemeat scandal, which has affected at least 14 European Union member states and has had an impact here in Scotland. Following the discovery of horse DNA in a frozen burger that was supplied to Cumbernauld high school, local authorities have been advised to hold the use of all frozen beef products pending further investigation.

Mr Russell and Mr Lochhead are meeting the Convention of Scottish Local Authorities next week to discuss how we can work together on the standards and processes that are in place for school meals and to discuss ways in which we can drive up standards and quality even further. In the meantime, by close of play today, local authorities will have completed all but one of the inspections of premises that manufacture processed meat products in Scotland, with no evidence to date of horsemeat food fraud occurring.

Turning to the reasons for my statement, the scandal has made it clear that a single independent public body should have clear responsibility for all aspects of food safety and standards. In 2010, the United Kingdom Government moved responsibility for food labelling policy in England from the Food Standards Agency to the Department for Environment, Food and Rural Affairs. It also moved responsibility for nutrition to the Department of Health. Although the Food Standards Agency is a shared public body, those changes took place without consultation with the devolved Administrations. As a result, three different bodies were dealing with food labelling in England. The confusion was highlighted by Westminster's Environment, Food and Rural Affairs Committee in its criticism of the decision to split responsibility for food.

The changes had significant consequences for Scotland. The staff in the Food Standards Agency headquarters who were responsible for labelling

and nutrition were removed from the FSA and taken into Whitehall departments that are responsible for England only. At a stroke, the FSA lost much of its capacity to support us on labelling and nutrition policy. Given the negative impact that that would have on Scotland, I asked Professor Jim Scudamore, the former Scottish and UK chief veterinary officer, to set up an expert panel to consider how the Food Standards Agency should operate in Scotland, in light of the changes in Westminster.

Last year, Professor Scudamore recommended that nutrition, labelling and food safety should be considered together, and that advice should be focused on protecting consumers and should be evidence based, transparent and independent. He also recommended that we should create a new stand-alone food body here in Scotland.

We accepted all the recommendations, and I announced in June last year that we would create a new food body. Our vision for Scotland's new food body is that its primary focus will be consumer protection. It will make sure that food in Scotland is safe to eat and it will improve the diet and nutrition of people in Scotland. The new body will be independent, open and transparent and will base its advice on the best available science and evidence.

There is much at stake, as the food that we eat is vital to ensuring that we live longer and healthier lives. Bad eating habits are the second major cause of ill-health in Scotland after smoking. Scotland has one of the highest levels of obesity in the Organisation for Economic Co-operation and Development countries, and obesity increases the risk of diabetes, heart disease and cancer.

We will give the new body the ability to be more responsive to Scottish needs. The new food body will be the basis of decisive action to improve diet and nutrition—just as we are making progress on reducing smoking and drinking.

The new body will carry out the devolved functions that are currently delivered by the UK-wide Food Standards Agency: food safety and standards; feed safety and standards; nutrition; food labelling; and meat inspection policy and operational delivery.

Most of us think about food safety only when there is a problem. We rightly expect the food that we eat to be safe. However, it is estimated that 124,000 consumers contract food-borne diseases each year. Around 2,300 people will be hospitalised and around 43 will die. We can do better, and I expect the new food body to identify ways in which we can be more effective in tackling food-borne diseases in future.

The new body will take a risk-based approach, using the best intelligence and evidence, to ensure

that inspections are as well targeted as possible, within the European framework. That will, in turn, support the Scottish food and drink industry in growing its strong international reputation for safe, quality food.

As the horsemeat scandal has shown, food supply chains cover the world. The new food body will work closely with the FSA, other European food safety bodies and the European Food Safety Authority on many issues, such as dealing with food incidents, European developments and collaboration on science and research.

This afternoon we are publishing a consultation on the roles, responsibilities and functions of the new food safety body. As part of the development of the consultation, the Government carefully considered the implications of the horsemeat scandal. The consultation will run for 12 weeks and presents an opportunity for consumers as well as industry to tell us what they think that the new food body should do. The new body will take on existing Food Standards Agency functions, but we are interested in hearing views on whether it should have a broader role and new responsibilities. We also seek views on how the new body's independence from Government and the food industry can be assured. I am open to creative and innovative ideas about all those issues.

The consultation will give us a solid basis on which to build to ensure better food safety and standards in future. However, creating a new body and passing legislation take time, and people in Scotland rightly want improvements now. Therefore, today I am announcing that I have asked Professor Scudamore to lead a short-life expert group to consider the lessons that have been learned from the recent horsemeat scandal. The interests that are covered by the membership of the group will be consumer protection, the meat industry, food retail and enforcement. I have asked Professor Scudamore to recommend improvements in the food safety and standards regime that can be made quickly, ahead of the creation of the new body, and I have asked for recommendations before the summer recess.

The short-life expert group will focus on the regulation of food, but there are broader issues to consider. Richard Lochhead has asked Ray Jones, the chairman of Scotland Food and Drink, to lead a food expert group. The group's remit will be to explore what is required to extend to the whole Scottish meat supply chain the excellent principles of traceability, assurance and provenance that are associated with primary red meat production. The food expert group will also provide recommendations before the summer recess.

We have the opportunity to learn from the current situation. The short-life expert group that I am announcing today will identify lessons from the horsemeat scandal, so that we can improve our food safety and standards regime. We want our new food body to be as effective as possible. Through the consultation, we will ensure that in designing the new body we draw on the best ideas and expertise.

Given the importance of food safety and the value of the Scottish food industry to our economy, we must ensure that we have robust regulatory regimes for food in Scotland. Eating safe, healthy food will help people in Scotland to live longer and healthier lives.

The Presiding Officer: The minister will take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I thank the minister for the advance copy of his statement. We welcome the establishment of a food standards agency in Scotland, which will be separate from Government and the food industry, and the fact that we in Scotland are not proposing to follow the UK Government's decision to split up the FSA's functions.

However, we are sorry that, despite Professor Scudamore's report in April 2012 and the minister's statement in June 2012 that such a body would be set up, we are only now having a consultation, which will run for another 12 weeks, as well as having two expert groups. One is left with the firm impression that action is occurring with a great deal more speed now only because we have a crisis. Of course, Scotland, along with the rest of the UK, has faced many crises, such as with BSE and E coli, and I am sure that the horsemeat scandal will not be the last.

Given that a full range of responsibilities will now fall to the new FSA and that the minister said the other day that the underspend that occurred related only to research, will the new, free-standing FSA have the resources to replace the labelling and nutrition staff who were moved to Westminster, for example, and ensure that adequate laboratory facilities are available?

Will the minister ensure that we have a debate on the areas to be covered by the new FSA and its relationship with the UK and EU bodies? Previously, the Scottish part of the FSA was linked strongly with the English part.

It appears that the new legislation will not be available until well after the summer recess or even next year. Will the minister guarantee that the public can have confidence that they will be fully protected in the intervening period?

Michael Matheson: I thank Richard Simpson for welcoming the approach that we are taking in establishing a new food body here in Scotland. He referred to the timeframe since the publication of the Scudamore review, which was towards the end of June last year. I am sure that he will appreciate that creating a new food safety body is a very complex task and that it is important that we take the time to ensure that we manage that properly.

We have been engaging with stakeholders. At the end of last year, the Food Standards Agency held a major event with 57 different organisations, which all had a view on how the new food safety body in Scotland should be shaped. We wanted to take the time to gather those views and feed them into the consultation that we are now undertaking as part of our move towards legislating in this area.

I reassure Richard Simpson that this is nothing to do with the horsemeat scandal; it is part of the process that we were following anyway. We have taken a bit of extra time over the past couple of weeks to make sure that the consultation document that we are publishing this afternoon reflects some of the issues around the horsemeat scandal that have been picked up over the past few weeks.

Richard Simpson asked about the provision of lab facilities and resources. One of the things that the expert group that I am setting up, which will report before the recess, will do is engage with local authorities and others to look at current capacity to see whether additional capacity needs to be provided here in Scotland. It will also feed into the consultation exercise views on what immediate action we can take and what further action the new body should take.

We have protected the FSA's resources here in Scotland. The underspend that I referred to was due to the fact that some research and consumer affairs engagement programmes did not materialise as intended. We have given a commitment to maintain the budget going forward. If we add further functions to the new food standards agency, we will have to reflect on the resources that are deployed to allow it to carry them out effectively.

The people of Scotland can have great confidence in the way in which the Food Standards Agency in Scotland has performed over the past couple of weeks in relation to the horsemeat scandal. They can have confidence that it will continue to function effectively as we move towards creating the new body in Scotland. It is appropriate that we take our time to do that in a managed way, so that we can make sure that we have a system that is robust and in which the public can have confidence.

Nanette Milne (North East Scotland) (Con): I, too, thank the minister for the advance copy of his statement. I welcome his intention to set up a short-life expert group to consider what might be learned from recent events.

Given that the horsemeat scandal is not simply confined to the UK, let alone just to Scotland, what measures will he take to ensure that the Scudamore expert group does not sit in isolation when it comes to co-operation with our European partners and, indeed, other countries such as Russia? Does the minister agree that, to avoid such an episode ever happening again and for the sake of food safety, we must share the outcome of the group's findings with all nations affected by the scandal?

Does the minister also agree that as this appears to be a case of international fraud, to make the work of the group effective he perhaps needs to include representatives of the legal system?

Michael Matheson: One of the things that were considered in Professor Scudamore's review of the changes to the FSA and the changes that should take place here in Scotland was how the system would fit in with the wider European agenda. The review consulted the European Commission, which was quite clear that it had no concerns about Scotland moving towards having its own food safety body.

In the second part of her question, Nanette Milne answered the first part of her question. The horsemeat scandal is a matter of fraud and, by its very nature, fraud can be difficult to detect. However, more than 14 member states are affected by the scandal. The regulatory bodies in all those countries—some of which have several regulatory bodies on food safety—are all dealing with the issue. It is therefore extremely important that the European Commission ensures that there is an effective co-ordinated response from those bodies.

With a food standards body in Scotland, we can ensure that we co-operate well with European agencies, UK agencies and other international agencies on food safety and share intelligence, good practice and research. Such broad co-operation will allow us to ensure not only that we are plugged into the international agenda but that we have a system that is geared towards dealing with the specific challenges and issues that we face in Scotland.

The Presiding Officer: Many members wish to ask the minister a question. I make a plea for questions that are as brief as possible and, minister, for answers that are as brief as you can make them. In that way, I hope to get through everybody who wants to ask a question.

Aileen McLeod (South Scotland) (SNP): Will the minister expand on what the Food Standards Agency in Scotland and the Scottish Government have learned from the recent food scandal?

Michael Matheson: The scandal has highlighted the extent to which individuals will go to defraud the system and a weakness in the actions and responsibilities of manufacturers and retailers in respect of the authenticity testing that, as suppliers, they are meant to undertake.

We need to ensure that the industry recognises that when an individual buys a product, what it says on the packet should be in that product. We must consider what further measures may be necessary to ensure that robust mechanisms are in place to identify such issues much earlier and that manufacturers and retailers are undertaking their responsibilities effectively and consistently.

Claire Baker (Mid Scotland and Fife) (Lab): As the minister will know, the number of meat inspectors has halved since 2008. While that is partly due to a reduction in the number of premises requiring inspection, there has been a move towards lighter-touch regulation, with a reduction in the number and frequency of inspections.

Only today, we hear news of banned mechanically separated meat being used in the UK to count towards meat content. Will the minister respond to Unison Scotland's warning against the introduction of a new body that promotes lighter-touch regulation? Will he give an assurance, particularly given what we now know about the food chain, that the new system, with a robust regulatory framework that puts consumers' interests first, will prevent future scandals of this nature?

Michael Matheson: I hope that the member has been reassured by my statement that the primary focus and overall objective of the new food safety body in Scotland will be consumer protection.

The member asked about the number of meat inspectors. Meat inspectors are provided at a UK level and operate throughout UK, rather than specifically through the Food Standards Agency in Scotland. Their numbers have changed for a variety of reasons. For example, the number of abattoirs has reduced. In addition, during incidents such as the BSE and foot-and-mouth outbreaks, inspectors were put into premises but, once the restrictions that followed those incidents were reduced or removed, the number of inspectors that had to be present in those premises also reduced.

The new food body in Scotland and the review group that I have set up give us the opportunity to look at what we have at the moment. Are there ways in which we could do things better? Do we need to look at how we can improve the inspection

and regulatory regimes to get them fit for purpose in a way that best suits Scotland's needs?

There is no intention of having a lighter touch with existing regulation, but we need to make sure that we have a proportionate, intelligence-based system that uses the best science and evidence to support its work.

Rob Gibson (Caithness, Sutherland and Ross) (SNP): Will the minister provide details of the additional powers that the new food body would require to make retailers display in full their quality standard ratings and the origins of their food?

Michael Matheson: A lesson that we can learn from the current incident is that the public would like to be made much more readily available information about the type of testing that retailers and manufacturers undertake on their food products. Progress has been made on that, with retailers providing test results to the FSA, as they will do every three months. I detect that retailers recognise that the public want more information in this area. The new food body and the review group have an opportunity to look at whether we should take that further in Scotland, and whether there is a need for more regulation in this area or whether the industry is prepared to take action itself to provide the public with greater reassurance and greater availability of such information.

Tavish Scott (Shetland Islands) (LD): I thank the minister for the advance copy of his statement and I commend the approach to the issue that he has outlined to Parliament today. I also commend the appointment of Ray Jones and Jim Scudamore, who appear eminently suited to the tasks that the minister has outlined.

Does the minister accept that procurement policy has to be part of the reviews that he has outlined to Parliament, particularly in the context of the question that I asked him during topical question time on Tuesday? Can he say anything about the costs of the new body? Will it be Government funded or will the costs ultimately lie with industry and, indeed, consumers?

Michael Matheson: The new food body in Scotland will be funded in the same way that the FSA in Scotland is funded, which is through the consolidated grant to the Scottish Government.

The horsemeat scandal gives us the opportunity to look at procurement in much more detail. On Tuesday, I mentioned that the Cabinet Secretary for Rural Affairs and the Environment and the Cabinet Secretary for Education and Lifelong Learning are keen to explore some issues with local authorities. The percentage of public sector contracts that include Scottish produce has increased from the mid-30s up to almost 50. There

is an opportunity to look at getting more Scottish produce into public sector procurement contracts. We have to look at the most effective way of doing that.

The expert group that Richard Lochhead has set up gives us an opportunity to look at how we can shorten the food chain. Some of the issues that have arisen over the horsemeat scandal demonstrate the scale of and distances involved in the food chain. Any opportunity to reduce those will be good for the consumer and good for public health.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The minister referred to

“a broader role and new responsibilities”

for the new food body. Will the minister—or, indeed, a ministerial colleague—therefore take this opportunity to review the provision of slaughterhouses and processing plants and consider whether there are opportunities for more local facilities? I believe that that would enhance traceability and food security. Indeed, the issue might come within the ambit of the new food body.

Michael Matheson: Christine Grahame raises a very important point. Some Scottish abattoirs have found the UK regulations that have been introduced challenging—there has been a disproportionate impact on some of our smaller abattoirs. The move towards having our own stand-alone food safety body gives us the opportunity to make sure that the way in which we implement regulations is proportionate and reflects the different nature of the Scottish industry. If we can get that right, it will create the opportunity to have more local abattoirs in different parts of the country.

Claudia Beamish (South Scotland) (Lab): As the minister said in his statement, there is much at stake. After all, the food that we eat is vital in ensuring that we live longer and healthier lives. Does the minister therefore acknowledge the significance of East Ayrshire Council's Soil Association-accredited food for life catering mark for providing food that is as far as possible locally sourced? What plans does the Scottish Government have to develop similar support across the public sector? Moreover, in view of the importance of the traceability of food—

The Presiding Officer: I am sorry, Ms Beamish—I think that you have asked your question.

Michael Matheson: The East Ayrshire example can certainly be discussed by Richard Lochhead and Mike Russell at next week's meeting as they explore whether lessons learned from one local authority's procurement of particular food products

can benefit other local authorities. If we can encourage more local produce to be procured, it will be good for the children, those who benefit from those public sector contracts and, indeed, the Scottish industry.

The Presiding Officer: I remind members that they should ask only one question.

Nigel Don (Angus North and Mearns) (SNP): I note that the minister has said several times that this is about consumer protection and proportionality. Does he agree that it is less about inspections and more about having good-quality assurance processes in the supply chain? If that kind of good system is in place, we will only be inspecting something that is working well.

Michael Matheson: I entirely agree. One benefit of our quality Scottish produce is its traceability and the farm-to-plate quality assurance programmes that have been built in over the number of years. Richard Lochhead's working group gives us an opportunity to examine how we might extend that approach to other meat products in Scotland in order to make the system much more comprehensive and to give the public even greater confidence in the quality of the products that they purchase.

Alex Fergusson (Galloway and West Dumfries) (Con): The minister's statement, for which I thank him, suggests that the new body will have a much wider remit than the current Food Standards Agency in Scotland. Given that and the fact that the Government has reduced its contribution to the running of the FSA, I want to press the minister a little more for any detail that he can give on the new body's likely costs.

Michael Matheson: First of all, we have not reduced our funding for the FSA; indeed, over the term of this Government, we have probably increased our proportion of spend on the agency in Scotland. We have not reduced its budget, but there have been marked reductions in the Food Standards Agency's budget at a UK level.

That aside, I am open to considering the wider areas in which the FSA could play a role. I have said that it could play a greater role in public health, in improving diet and in promoting healthy eating in Scotland, and I encourage it to move in that direction. The consultation on the new body's establishment provides an opportunity for people to give their views on how the agency's role should be further expanded, and we can consider how those suggestions sit with the new body itself.

Of course, if any expansion of the body's role requires further resources, we will have to reflect on how we will provide that additional funding. However, I am open to looking at any aspect of expanding the new body's role; indeed, I am open

to considering a range of suggestions, if they are constructive.

Jim Eadie (Edinburgh Southern) (SNP): What further assurance can the minister provide to current FSA staff that as staff members of the new agency their employment will continue, with their terms and conditions, including pension provision, fully protected?

Michael Matheson: When I announced that we were accepting Jim Scudamore's recommendations and moving towards the creation of Scotland's own food safety body, the staff were one of the first groups to be informed of the decision to ensure that they were fully versed in the Government's intentions. We have no plans to change the location of the FSA; the new body will be based in Aberdeen and it is likely that its creation will require additional staff. The staff in the Aberdeen office and those who are involved in meat inspection can rest assured that their jobs remain important to us and that it is likely that we will have to add to the staff complement to allow the new body to carry out the new functions that we intend it to have.

Alison Johnstone (Lothian) (Green): I thank the minister for early sight of his statement and for its content. Who will sit on the food expert group with Ray Jones? Will there be space for groups such as the Federation of Small Businesses, Nourish Scotland and the Fife Diet, or will they continue to be squeezed out by the supermarkets?

Michael Matheson: We have announced who will be chairing both the expert groups. I am more than happy to ensure that we write to all members who have an interest in the matter to inform them of the full details of those who will sit on those groups. The expert group that has been set up by Richard Lochhead is very much focused on the meat producer side of the industry, to give particular focus on traceability in that area. However, I would be more than happy, once we have the full details of the membership of both groups, to inform the member about those details.

Aquaculture and Fisheries (Scotland) Bill: Stage 1

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-05712, in the name of Paul Wheelhouse, on the Aquaculture and Fisheries (Scotland) Bill. I remind members to speak through the chair by referring to other members by their full names and not as “you”.

15:01

The Minister for Environment and Climate Change (Paul Wheelhouse): I am pleased to open the debate on the general principles of the Aquaculture and Fisheries (Scotland) Bill—the first bill that I have been involved with in a ministerial capacity.

Over a year ago, we consulted on a number of key issues and priority areas for possible legislation to ensure a regulatory regime that is fit for purpose. We wanted to build on existing best practice and voluntary arrangements wherever appropriate and to promote openness and transparency. That consultation continues; discussions with our stakeholders have greatly informed our thinking and have helped to shape the bill that we are debating.

I thank the Rural Affairs, Climate Change and Environment Committee for its work. I also thank everyone who gave evidence to the committee through the course of the consultation. I am pleased that the committee supports the general principles of the bill, which are that we must ensure that Scotland’s farmed and wild fisheries sectors, and their interactions with each other, continue to be managed effectively. In doing so we can maximise the combined contribution of both sectors to supporting sustainable economic growth, while giving due regard to the wider marine environment.

Earlier this week, I provided a written response to the committee’s report. I hope that my response has helped to provide the clarity that some in the chamber have asked for and that the Parliament will feel able to endorse the bill going forward.

The committee commented on the need to improve the relationship between wild fisheries and the fish farming sector. I share that view and, indeed, I made reference to it in my opening remarks to the committee. I have also expressed that view to stakeholders. Some areas already provide excellent examples of joint working at a local level, but that is not universally evident. That must change. Good neighbours talk, listen to and engage with each other.

I have already intimated my intention to lodge some amendments at stage 2. I hope that they will be welcomed by our stakeholders as points of clarity to improve technical aspects of the bill. I will take note of and reflect on any further points that are raised in the debate.

Tavish Scott (Shetland Islands) (LD): I thank the minister for giving way. He mentioned the amendments that he plans to lodge and he answered a parliamentary question this week in which he acknowledged the considerable amount of secondary legislation that will have to be introduced. Will he give a commitment that that secondary legislation, when it is introduced, will be subject to full consultation—particularly with the industry, because that is the aspect of this process that they potentially fear?

Paul Wheelhouse: I have said on record and I am happy to reiterate that, where appropriate, we will use the affirmative procedure to ensure that there is adequate consultation on any secondary legislation that is made. I am happy to work with the member to ensure that we give maximum consultation opportunities for those important measures.

I move on to the importance of aquaculture and freshwater fisheries to Scotland. In Scotland, we are fortunate to have an abundance of water that is suitable for aquaculture and fishing. I am pleased that the committee agrees that the bill improves the framework for the aquaculture and freshwater fishing sectors’ sustainable development—in the short, medium and long term. Both aquaculture and freshwater fishing provide jobs, often in remote and fragile economies, investment, exports, and rural vitality and social cohesion.

The committee asked about the Aquaculture and Fisheries (Scotland) Act 2007 and to what extent its aquaculture provisions have been successful. In our view, the management regimes that are monitored by the fish health inspectorate are working well. Aquaculture’s code of good practice—independently audited, with compliance of 98 per cent—is guiding the industry on its statutory responsibilities and day-to-day good practice. However, this bill is not about updating the 2007 act. It has been drafted to further enhance the existing regulatory regime to ensure that it is effective for 2020 and beyond, and to provide a platform for sustainable growth with due regard to the environment.

The provisions within the bill provide: new legal measures for fish farm operators, including statutory farm management agreements or statements; provisions for obtaining samples from fish farms; requirements for technical equipment standards and control mechanisms for the operation of wellboats; moves to improve the

management and governance of district salmon fisheries boards, making them more transparent and accountable; safeguards for the shellfish industry, with measures to ensure that shellfish waters continue to be protected from pollution once the European Union shellfish waters directive is repealed in December this year; and powers to impose charges in connection to services that are provided by the Scottish ministers in the carrying out of fish farming and fisheries functions. Also included are additional enforcement powers to support sea fishery officers in carrying out their monitoring and investigation duties, and the extension of fixed-penalty notices to respond to issues of regulatory non-compliance.

I welcome the committee's endorsement of proposals for the aquaculture sector, including to place farm management agreements and statements on a statutory footing. We will work with the Scottish Salmon Producers Organisation to ensure that the new regulatory system is implemented and managed to best effect. I also welcome the committee's endorsement of proposed powers to improve further the containment of fish. My officials will work with wellboat interests to ensure that regulations to manage the sector are proportionate, reasonable and, where possible, transferable. Reflecting the committee's interest in the matter, I will also encourage the wellboat industry to explore the potential for wellboat development, manufacture and maintenance in Scotland.

I have repeated on a number of occasions that not everything that we require to achieve needs legislation to deliver and work is, therefore, being developed alongside the bill. We have noted the recommendations of the committee in respect of sea lice data. The Government already has access to the information on sea lice levels that we need to meet our current regulatory requirements, as well as access to industry data to undertake and inform our scientific work.

In that regard, I am pleased to announce today agreement to joint funding, totalling £1 million, for a programme of research between the Scottish Government and industry, overseen by the Scottish aquaculture research forum. The programme will have at its core a project to assess the impacts of sea lice and salmon of farmed origin in the wild in Scotland. The industry also acknowledges that data needs to be available to reassure the public and to aid the management of local fisheries—that is a key area of interaction.

Alex Fergusson (Galloway and West Dumfries) (Con): I am not absolutely persuaded that the need to inform the public is as important as the minister suggests, although I accept that that is desirable. However, I am persuaded that there is a need for science and academia to have

a considerable amount of farm-by-farm data in order to monitor the expansion of the industry. Would the minister care to comment on that?

Paul Wheelhouse: We are persuaded that there is a wider public interest in the health of our fish farms in terms of the quality of the stock. I accept that there are commercial confidentiality considerations that come into play, but I believe that we have the balance right in terms of seeking a greater degree of public awareness of the health of the stock in our fish farms, allowing inspectors to inspect the data and ensuring that we have the appropriate level of enforcement actions to deliver improvements in the situation around sea lice contamination.

I am encouraged by the SSPO's voluntary proposal to increase the number of areas in which there is public reporting of sea lice levels from six to 30. I consider that to be a significant development that can be further developed in time. I will keep the new scheme under active review through the ministerial group on aquaculture, mindful that the Scottish ministers already have the power to legislate in the area, if necessary, through the 2007 act.

The committee welcomed my plans to reinvigorate the ministerial group on aquaculture and supported the current role that is played by the stakeholder reference group. Both of those groups have been established for the longer term and will be key to improved relations and engagement between the aquaculture and wild fish sectors. I am currently considering how best we might replicate a group with a structure similar to the ministerial group on aquaculture for the wild fisheries sector, to ensure similar engagement among stakeholders and interest groups on wild fishery matters.

The bill is the first step in delivering the Government's commitment to modernising management structures for salmon and freshwater fisheries. I welcome the committee's endorsement of that view. There are two themes in this part. First, the bill will deliver immediate improvements to the openness, accountability and transparency of district salmon fishery boards. Many boards are already carrying out the requirements that we are making statutory, and the bill will drive forward best practice in good governance. We will work with the Association of Salmon Fishery Boards to give guidance on implementation, mindful that boards are of varying size and capacity.

The second theme is the enhanced management of salmon fisheries. The bill looks to improve the collection and sharing of data and information on fisheries to help promote science-based management. It will provide ministers with access to the full range of management measures—specifically, annual close time

orders—so that they can act in cases of national interest, local failure or absence of management. The bill will strengthen the consenting process for certain freshwater activities, introducing the ability for ministers to attach conditions to consents and to require monitoring.

I am pleased that the committee has largely endorsed the package of measures that I am introducing. While there is broad agreement on the principles, I acknowledge that there are differing views on the precise detail of some of the provisions and how they will be implemented. Carcass tagging is one example. The bill provides an enabling power for the creation of a scheme on that, but there are mixed views about what the scheme should look like. We will discuss the issue of individually numbered tags with stakeholders and consult fully on options for a scheme before bringing forward secondary legislation.

There has been some comment about what is not in the bill. Some have argued that it lacks ambition and that it focuses exclusively on salmon to the detriment of other fisheries. On that point, the Government is committed to supporting the development of all types of fisheries; only this week I awarded £17,000 to the Angling Development Board of Scotland to roll out a Scottish Qualifications Authority level 3 qualification that covers game, coarse and sea angling.

I assure members that our ambition is not limited. The past century has seen numerous attempts by various Governments to modernise the legislation on freshwater fisheries, which is a complex and emotive area. There has been progress, but not the major step change that the committee rightly notes is needed. Many significant issues need to be addressed, and the committee's report highlights a number of specific areas that need more work.

I can confirm that I will take that work forward in the context of a major review of salmon and freshwater fisheries management in Scotland, which will perhaps be regarded as long overdue. Officials have started the process of scoping that review and I hope that it will get under way this summer. I can confirm that it will include all fisheries in Scotland, not just salmon fisheries. I anticipate the review considering in depth a number of key issues for the sector, including management of netting interests, the operation of close times and how fisheries management should be funded. The review will be conducted independently of Government, and I am pleased that the committee shares my vision for its outcome: a management system that is robust, sustainable and fit for purpose in the 21st century. I believe that it is imperative that all those with an

interest use this unique opportunity to get matters right.

I welcome the committee's recognition that the sea fisheries provisions bring Scotland into line with the rest of the United Kingdom as regards marine enforcement powers. However, we will look at the one or two minor points highlighted in the evidence and report back to the committee on our conclusions.

We recognise the tremendous potential that the shellfish sector has for increased production because of the demand for our quality products. I am therefore pleased that the committee welcomes the bill's proposals for a framework to give continued protection from pollution to shellfish growing waters. I recognise that the provisions will provide only baseline protection in the process and I agree that both the Government and our agencies must continue to work with the sector and other stakeholder interests to ensure that proportionate measures are taken to deliver continued protection.

I welcome the committee's support for our proposals to lodge amendments at stage 2 to strengthen the law on illegal cockle fishing, not least because of its current significance in the Solway. In addition, we continue to work with other agencies that are enforcing the law in respect of illegal shellfish harvesting to find solutions to other aspects of the issue.

We must manage our resources wisely. The bill gives ministers the power to charge for fisheries functions undertaken by Marine Scotland. Ultimately, if something is being provided that is of benefit, then it is right that the beneficiary should pay a fair contribution for that benefit. I am glad that the committee recognises that we would not bring forward a charging order without consulting those affected. I can confirm that a charging order will be subject to the affirmative procedure to ensure appropriate scrutiny of it.

I note the recommendation that we publish statistics on the use of fixed-penalty notices and I give a commitment to publish such statistics, anonymised, on an annual basis. We will also consider publishing statistics for other non-compliance activities to provide a complete picture.

I want Scotland to continue to be a great place to do business and we want new enterprises to be attracted to Scotland. We want both indigenous businesses and new businesses coming into Scotland to grow, but we also have a duty to protect our natural resources for the long term. That is why we seek, through the bill, to ensure that the marine environment is protected while realising the benefits of a successful and growing aquaculture industry, developing side by side with

the wild fisheries in Scotland. I emphasise that the bill is not a blueprint for assured growth, but it aims to ensure that there is an effective and proportionate regulatory framework to facilitate that growth. I look forward to the debate that will follow and to hearing members' views on the bill's provisions.

I move,

That the Parliament agrees to the general principles of the Aquaculture and Fisheries (Scotland) Bill.

The Deputy Presiding Officer (Elaine Smith): Thank you, minister. I advise members that time is extremely tight and that there is no extra time. I call Rob Gibson to speak on behalf of the Rural Affairs, Climate Change and Environment Committee. You have a maximum of nine minutes, Mr Gibson.

15:14

Rob Gibson (Caithness, Sutherland and Ross) (SNP): The Rural Affairs, Climate Change and Environment Committee began its scrutiny of this important bill with limited knowledge of the challenges that face aquaculture and wild fisheries in Scotland. After viewing salmon spawning on the River Dee, freshwater and seawater fish farms, a salmon processing plant, scientific research stations, salmon-netting operations and wild fisheries hatcheries—where aquaculture and wild fisheries representatives work side by side—we learned a lot in a matter of weeks.

The extensive gathering of oral and written evidence gave the committee a better idea of how the bill should be amended. From the outset, the committee agreed that the general principles of the bill are sound and that the Parliament should support them and send the bill on to its first amending stage. I thank all who gave us their invaluable support, all those whom we met on our travels and all those who submitted written evidence and/or gave oral evidence to the committee.

However, the issue of “working together” loomed large. Every committee member was struck by the tensions between the wild fisheries and aquaculture sectors—the expression that we used in our report was “tit-for-tat”. As we waded through evidence, examining claims and counter-claims, we reached the point at which we felt that enough was enough. Fish farms and wild angling are here to stay. Both sectors contribute to Scotland's economy and have environmental responsibilities. However, to deliver thriving sustainable aquaculture and wild fisheries, both sectors must work together.

Tavish Scott: I agree with the point that Mr Gibson is making, but presumably he would also reflect that that conflict, which he rightly describes,

is not true of the whole country or of all the areas that the committee looked into. It is perhaps important to reflect that.

Rob Gibson: We might reflect that some parts of the country have greater tensions, but the intention behind the bill is to try to meet the needs of all parts of the country. The committee wholeheartedly backs the intention to improve the transparency and accountability of both sectors while minimising bureaucracy.

During the stage 1 process, the Scottish Government announced that the bill will be a first step in reforming wild fisheries management in Scotland. The committee will closely monitor that process, which should build on the aquaculture and wild fisheries legislation that was passed only a few years ago.

Turning to specifics, the committee supports most of the bill's aquaculture provisions, such as those that will place farm agreements and statements on a statutory footing. We support the taking of samples from any fish farm where that is necessary to determine where an escape of fish originated, because preventing escapes is essential. We call on the Scottish Government to consider other methods for tracing escaped fish ahead of stage 2.

The wellboats that transport and treat farmed fish must be tightly defined in law, as retrofitting boats to meet new standards could prove costly. We would like to see provisions included in the bill that would make that commercially viable. However, having wellboats built and retrofitted in Scotland will happen only if the Scottish Government works directly with the Norwegian Government to develop common standards.

We back the provisions on defining species that are commercially damaging to fish farms. However, we ask the Government to examine the origins of such species rather than just their presence on or near to farms.

Much of the debate focused on sea lice, which is an issue that is currently not covered by the bill. Sea lice can infect wild and farmed fish, but they can spread quickly on fish farms, with effects on wild stocks. We call on the Government to look closely at that issue, as other members will mention in more detail later in the debate. Fish farms currently collect data on the numbers of sea lice. After considering the issue carefully, we agreed that we wish to see data collated and published for each farm management agreement. The committee will continue to consider that issue as the bill proceeds. However, the important point is that the bill ensures that data are available to scientists and researchers to manage sea lice outbreaks.

Seals predate on fish farms and can damage nets, which leads to escapes. The industry is working hard to address that issue. Currently, a number of seals are being shot on fish farms. The committee welcomed alternative methods of predator control, such as the development of audio devices that cause no damage to seals or other marine animals.

On wild fisheries, we were encouraged to learn that, against a backdrop of long-term decline, the number of salmon coming back to our rivers is stabilising. We need to build on that. Unfortunately, in many areas the number of sea trout has declined sharply for various reasons.

The bill addresses the governance and management of district salmon fisheries boards, which I hope will improve the accountability and transparency of their activities. The complaints procedures outlined in the bill are appropriate and proportionate, as are the proposals to ensure that board members declare financial interests.

We support the introduction of a carcass tagging scheme in which tags are individually numbered. As the minister mentioned, that will be consulted on.

Another hot topic was salmon netting at the mouths of our rivers, which has been declining in Scotland for some time. The small salmon-netting community sought to amend the bill to protect their livelihood.

We spent an afternoon at a salmon-netting station, and we talked to all who worked there and other netsmen who had journeyed from Strathlyon in my constituency. They argued for the management of salmon netting to be removed from district salmon fisheries boards and placed with the Scottish Government's inshore fisheries group. They also wanted an end to the close times that require the removal of their equipment on weekends. They would prefer a more flexible days-at-sea regime. Netsmen face challenging conditions, but a days-at-sea regime would not be appropriate. However, more transparent conflict resolution in district salmon fisheries boards is needed.

The committee supported the sea fisheries part of the bill, which is not controversial. Illegal cockle fishing in the Solway was discussed—no doubt my colleague Alex Fergusson, MSP for Galloway and West Dumfries, will talk about that in greater detail. The Scottish Government indicated that that issue would be pursued by an amendment to the bill to assist the police and fiscals in detaining and prosecuting offenders. Alas, amendments alone will not end illegal shellfish harvesting—which goes beyond cockles—and we call on the Government and its partners to develop practical and workable proposals to tackle the problem.

We approved proposals for charging and fixed-penalty notices. We welcome the Government's clarification that it will not introduce a rod licensing scheme, although anglers could have a role to play in assisting investment in wild fisheries management. Fixed-penalty notices can streamline legal processes, and we want the Government to publish statistics on their use for marine offences.

With some amendment, the bill will enhance aquaculture and wild fisheries to develop sustainably. We recommend that the Parliament support the general principles of the bill, allowing us to advance to the amending stages.

15:22

Claudia Beamish (South Scotland) (Lab): The Rural Affairs, Climate Change and Environment Committee supports the bill's general principles, as the committee convener has stated.

I want to consider the bill's context for a few minutes, which takes me immediately to the policy memorandum and the request from the committee to the Scottish Government

"to consider whether the assessment of sustainable development in the Policy Memorandum fulfils its potential as a means of ensuring a consistent and thorough regard for environmental, economic and social impacts of the changes proposed by the Bill and alternatives."

The memorandum does not fulfil that potential. I therefore ask the minister to assure us that there will be an on-going assessment of the measures in the bill, as it progresses.

The committee has recently heard evidence on biodiversity; I stress its importance in relation to the bill. Concerns have been expressed about the delay of Scotland's marine plan because marine spatial planning is key to appropriate development.

All potential development in our seas, whether aquaculture fisheries, marine renewables or oil and gas, must be judged in the context of marine carrying capacity. The delay to the marine protected areas is also a cause for concern. Our fragile coast and rural communities—where livelihoods depend on fish farms, fish processing, wild salmon rivers and tourism—must be considered, too.

The science is vital in determining what appropriate development is. It is essential that data be readily and publicly available for research into the sustainable future for all sectors concerned, and for the wider marine environment. That is even more of an imperative in the context of the changes in our marine and river environments resulting from climate change. We all need to do our best to climate proof the bill—hard as that may be—and the ensuing regulations.

Excellent work on that is on-going, but it is important that the Scottish Government and all sectors work strategically so that we honour our climate change commitments more broadly.

Before focusing in detail on the sections of the bill, I, too, will say something about the adversarial nature of the engagement of some of the sectors involved. As our report points out, the committee's work was hindered by it, which

"made it difficult at times for the Committee to assess the best way forward".

That was not helpful. I highlight paragraph 2 of the committee's opening summary:

"As important as this legislation is, perhaps of equal significance for Scotland in the long-term, is improving the current relationship between the wild and farmed fishing sectors, with a view to establishing closer, productive, cooperative working relationships for the overall benefit of the people of Scotland and the environment."

I make a strong plea to that end to all those concerned.

The committee was certainly welcomed by many on its two days of fact-finding visits, which upped my knowledge. One must always try to be positive in times of conflict, and I believe that those visits set a good tone.

Part 1 of the bill focuses on the future of the aquaculture industry. There is no doubt that the Scottish Government is keen on the development of the industry for home consumption and export markets. The minister highlighted the point that new markets are opening up. The Scottish Government is negotiating agreements on salmon exports to China, which have grown exponentially in the past two years.

During his evidence to the committee, the minister stated:

"The clear message is that growth must be sustainable."—[*Official Report, Rural Affairs, Climate Change and Environment Committee*, 9 January 2013; c 1614.]

That is reassuring in the context of the Scottish Government's target of a 50 per cent increase in the sector by 2020, 34 per cent of which is, I believe, still to be achieved.

The market for many products that are branded as being from Scotland is based on clear provenance. Scotland's reputation for good-quality waters is quintessential. Therefore, it is essential that there is careful monitoring and action, to which the bill and the regulation following it will contribute strongly.

The committee's visits to Marine Harvest demonstrated the good practice that exists in the fish farming sector. The committee supports the move to put farm management agreements and statements on a statutory footing, but there is a

need, in addition, to focus on the minority of farms that are not currently signed up, in order to ensure their quick compliance.

Co-ordinated management to underpin the building of trust and good relationships across the sectors is as important as marine spatial planning. The committee recommends that the Scottish Government work with the SSPO to ensure that mediation services are

"fully accessible and fit for purpose".

I acknowledge the minister's input in that regard.

The committee also

"notes concerns raised about the number of seals which are being shot at fish farms as part of predator control."

The key point is that alternatives to killing must be as humane as possible. Therefore, I was encouraged to hear of the work of the Scottish Aquaculture Research Forum in the minister's feedback to the committee.

The committee explored the possibility of human error, which is important in relation not only to escapes but to broader good practice. I note that there are many good in-house training schemes in the aquaculture industry, but the situation should be monitored in case there is a need for further intervention.

The minister stated that, at stage 2, an amendment would provide a clearer definition of wellboats. My colleague the convener, Rob Gibson, already highlighted the importance of building of wellboats in Scotland. We hope that the Scottish Government will consider that on a broader level, especially in terms of employment.

I note that the minister will look to the MGA to keep the issue of the revoking of consents under review. Is that robust enough?

I welcome today's funding announcement on sea lice. I will quote from the committee report, because I believe that this section is important:

"The Committee is still considering whether sea lice data should be published on a farm-by-farm basis, after taking evidence from the Minister, the aquaculture industry, the wild fisheries sector and other stakeholders. The Committee welcomes the Minister's commitment to look at this issue as part of the work of the Ministerial Group on Aquaculture if not taken forward in the Bill".

I stress that I hope that any delay in reporting that is introduced in any amendments will reassure the aquaculture industry about commercial confidentiality concerns. I am not convinced that the minister's position takes us far enough on that.

The committee is also concerned about

"the current lack of ... farm-by-farm data",

but there has been some reassurance on that issue. Across the committee, we are absolutely

conscious of the importance of the availability of scientific evidence.

The focus in part 2 is of equal importance. I know that other members will look at the management and governance of the district salmon fishery boards. As a committee, we are keen to

“establish the principle of improving accountability and transparency”

through the bill. The challenges that are faced by small boards should also be taken into account.

The disappointment of the coarse fishing sector about the lack of connection is recognised and has been acknowledged by the minister. On one of its visits, the committee was welcomed by Usan Salmon Fisheries Ltd. It is important that the Scottish Government’s review of wild fisheries considers the range of issues that have been raised, not least the weekly close times. It is reassuring that the minister has stated that those are key issues for the forthcoming review, and I hope that the discussions between Government officials and salmon fishery boards on short-term actions will help to resolve what appear to be local concerns.

The committee is clear that

“good water quality is vital for the shellfish industry”,

and I understand that the minister has already set up a working group to work collaboratively to resolve pollution challenges.

All members will be aware of the tragedy that took place at Morecambe Bay because of illegal cockling. My colleague Graeme Pearson will highlight that issue in relation to the Solway Firth and other parts of Scotland. The committee believes that it is essential that the Scottish Government provide its view of the way forward in helping to break that trade and to tackle the danger that is posed by fast-moving tides to the people who are being exploited.

The Deputy Presiding Officer: I call Alex Fergusson. You have a tight six minutes.

15:31

Alex Fergusson (Galloway and West Dumfries) (Con): To address all the issues and concerns that the bill embraces in a mere six minutes is an almost impossible task, so my remarks must be focused on just a few of the topics that it covers.

Despite the time constraint, I cannot begin my contribution to the debate without thanking the clerks to the committee for the outstanding job that they did in the preparatory work and the publication of the report, which they undertook with patience, humour and no little expertise. The

clerks and, indeed, members of the Scottish Parliament information centre have made a monumental task for the committee’s members a great deal easier than it might otherwise have been.

It has been a monumental task, which has involved an equally monumental amount of written and oral evidence, through which we have had to wade and which, I believe, still leaves quite a few questions hanging unanswered. I reiterate what other members have said: our deliberations have not been made easier by the very public tit-for-tat battle of words between the aquaculture industry and the wild fishery sector that took place during our evidence gathering and which is on-going in various national journals and newspapers today. Although that has not made our task any easier, the degree of agreement among the committee on many of the basic issues that the bill deals with has been impressive.

The two items on which I want to make particular comment were not in the original bill. The first of those is the contentious matter of publication of sea lice data, which has already been mentioned. It would be fair to say that the committee heard from a large number of organisations that believe that radical changes to publication of such data are imperative, and one that does not. Over the past months, I have become more and more convinced by the views of the many, and less and less convinced by the view of the one, which seems too often to state that the sea lice issue is not an issue at all. However, it has to be an issue. Ministers quite rightly say that they take decisions and act only on the advice of the best available science. Therefore, it cannot be right that the authors of that best science cannot access farm-by-farm data on an issue as important as sea lice numbers.

In response to the recommendation that the committee made in paragraph 204 of its report, that

“the Ministerial Group on Aquaculture gives careful consideration to how farm-by-farm sea lice data can be made available to inform scientific research”,

the minister stated that

“we already have access to the information on sea-lice levels that we need to meet our current regulatory requirements, as well as access to industry data to undertake and inform our scientific work as required”,

and he repeated that in his opening remarks. That concerns me, because in a report that Marine Scotland science published recently called “Development and assessment of a biophysical dispersal model for sea lice”—on a study at Loch Linnhe—which was commissioned to help to establish more effective farm management areas, the authors state that they had to make a fairly

major assumption, which is surely not the best thing on which to base a scientific paper, because “actual sea lice data from each farm site are not available”.

At the very least, it is obvious that there is a considerable discrepancy there.

I cannot help but feel that it is vital for the industry—which the Scottish Government is encouraging to expand very rapidly indeed—to make public, or at least to make available to our scientists and academics, the data that they need to monitor safely the sustainability of that expansion. I give notice that I therefore intend to lodge amendments at stage 2 to explore how that can best be achieved. I heard what the minister said in his speech, and I undertake to monitor carefully any initiatives that the industry or the Government develops in the meantime.

As the convener so accurately forecast, I cannot possibly discuss the bill without making reference to a naturally occurring species in our marine environment: the humble cockle. Reference to this shellfish is not included in the bill, but ministers will be aware of my long-standing determination to see a cockle fishery re-established on the Solway—something that I believe is achievable, and which could be of great benefit to our local economy. I very much welcome the steps that Marine Scotland is undertaking to bring that about, even as we speak, and I greatly welcome the Government’s willingness to strengthen during stage 2 current laws in relation to illegal cockle fishing. As I think the minister mentioned, as long as illegal cockling takes place—with the large amounts of money in cockles, the temptations are huge—there will not be a legal fishery. That has been the case for too long on the Solway, so I highly commend the Government’s actions and intentions in that regard.

The bill also touches on wild fisheries—in particular, the governance of district salmon fishery boards. Although the Government is leaving much of the detail of management of wild fisheries to the review to which the minister referred, I have concerns about some aspects of the bill’s impact on the work of the boards, which I seek also to address at stage 2, specifically in relation to the suggested publication of notices for certain proposed applications and to the scale of the penalties that have been suggested for the failure of boards to monitor the effects of an order.

There is a great deal more to the bill than I have been able to cover in the time that has been available to me, and my colleague Jamie McGrigor will expand on some aspects. For now, I commend the committee’s report to Parliament, and I assure Parliament that the Conservatives will support the general principles of the Aquaculture and Fisheries (Scotland) Bill this evening.

15:37

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I very much welcome the work that has been undertaken by the Rural Affairs, Climate Change and Environment Committee. The committee’s report responded to and incorporated a wide range of views in encouraging an environmentally viable and sustainable future for our fish farmers and freshwater fisheries and for all users of our marine environment.

Scotland is known worldwide for the quality of our environment, and that reputation underpins our successful food and drink export industry, in terms of both land and of the marine and river environments. People do not even need to think about making a choice between food that has been produced in a sustainable way and in pristine conditions and an alternative at the other extreme, in which production methods damage the environment and the consumer.

The general point is made by the Paisley snail case, in which a pauper, May Donoghue, successfully sued a manufacturer who had left a dead snail in a bottle of the ginger beer that she had purchased in the Wellmeadow cafe in Paisley in 1928. I regret to inform Parliament that the manufacturer of the ginger beer was one David Stevenson; as far as I am aware, he was not a relative of mine, and I hope not to find that he was.

Nigel Don (Angus North and Mearns) (SNP): Parliament might wish to be made aware of the fact that the snail may never have existed. The point was never proven, and was taken as read.

Stewart Stevenson: I think that, when the courts decide that the facts of a case are found, we should accept, through the telescope of age, that the snail was the point of application of the case. That is certainly true.

People want to be able to trust their food. If anything is to come out of the horsemeat scandal, it is that it illustrates that point. We want aquaculture, which is a major contributor to our food and is now a bigger industry than the wild-fish sector, to be even more successful in the future. We can help if we get things right. A country that has transparent rules and practices that guarantee that the consumer’s food comes from a pristine environment is ahead of the game at once, and having a good production environment is the first prerequisite to underpinning consumer confidence.

It is no surprise that our farmed salmon carries Scotland’s flag to all the global airts; it is a marker of quality. Our salmon are a health food—there is lots of omega 3 in them, for example—are the basis of much fine dining and are increasingly affordable in every home. Omega 3 reduces strokes and lowers blood pressure. Salmon tastes good and does people good. Therefore, when we

legislate on our industry, we must legislate for it. We must provide the certainty that the environment within which the industry produces is good.

We know what people elsewhere think about our fish farming industry. In 1992, Scottish aquaculture received an unprecedented double honour; the French Ministry of Agriculture awarded the renowned Label Rouge mark to Scottish farmed salmon. That was not only the first time that the honour was given to a food that originated outside France, but was the first time that it was awarded to a fish product. That is an early indicator of the trust that our superb Scottish salmon has throughout the world. We are, of course, the European Union's largest exporter of salmon, and there is room for substantial growth.

Other species have scope for growth, too. Our blue mussel accounts for most of our shellfish production. There were 7,000 tonnes of that, worth £8.6 million, in 2011. The aim is to double that in the next decade.

Our marine environment is, of course, a shared environment, so when we protect our clear blue—but, alas, not very warm—waters, we support sport fishing and a raft of coastal leisure activities. We also play a part in wider conservation measures that are important to a range of species. For example, who would have thought 20 years ago that we would find that we have living coral reefs in our marine waters? We support diversity, and that is part of it.

We also need to manage the production environment. That is in the interests of all coastal activity and benefits local communities. Again, sea lice are a big part of people's engagement with the undoubted impacts of fish farming. I very much welcome plans by the Scottish Salmon Producers Association to publish data on that in considerable detail. We need enough detail to build public confidence and to support the needs of research, but not so much that extrajudicial action by extremists could result. That is unlikely, but we need to balance that.

Alex Fergusson: Will Stewart Stevenson take a brief intervention?

Stewart Stevenson: I do not think that I have time to do so. Please forgive me.

We have and we need a legal enforcement regime that deals with the small number of breaches of the rules, but above all, we need co-operation between the science, aquaculture and environment communities. Perhaps that has not been wholly evident in the evidence that has been given to the committee.

The committee was right to quote Steve Bracken in its report. He said:

“salmon farming and wild fisheries are both vital industries for the coast and inland parts of Scotland.”—*[Official Report, Rural Affairs, Climate Change and Environment Committee, 5 December 2012; c 1466.]*

That is undoubtedly true.

I take an interest in wild fishing. My brother and I had a wonderful summer in 1968, when we were employed by the Tay District Salmon Fisheries Board as water bailiffs. I therefore very much welcome the opportunity that the bill creates to modernise a rather Victorian structure for supervising wild fisheries, and I look forward to future developments.

15:43

Jayne Baxter (Mid Scotland and Fife) (Lab): I am sorry to say that because I joined the Rural Affairs, Climate Change and Environment Committee only towards the end of December, I was unable to participate in the site visits and earlier consideration of many of the issues that are raised in the stage 1 report. I thank my fellow committee members and the clerks for their patience as I got to grips with the bill. In that process, it became apparent to me that there are a number of governance issues in the aquaculture and fishing industries that need to be addressed. I am pleased that the committee was able to scrutinise some of those issues.

The nature of some of the difficulties in the communication, structure and governance in the sectors is highlighted at the start of the committee's report, which draws attention to the nature of the engagement between the aquaculture and wild fisheries sectors, which is perceived to have been less than helpful at times. The committee's recognition of the value of productive and co-operative working relationships is vital to the success of the legislation.

In taking evidence from the minister, it was established that an industry body that was involved in developing proposals for the bill—the freshwater fisheries forum—had not met for some time. I believe that it had not done so since 2009. I was therefore pleased that the minister recognised the need to learn from that and to ensure that the structure and governance arrangements are fit for purpose, and that he remains open to reviewing the role of the forum in the future and sees the importance of stakeholder engagement.

The committee's report highlights the consultation and the engagement of key stakeholders on the proposed legislation, so I will not focus on that, although I hope that the Scottish Government learns from the experience as we proceed. The minister has recognised the concerns of respondents about the nature of the

consultation, and I welcome his commitment to reflect on the process.

The aspect that generated the most discussion during the committee's consideration of the bill was the publication of sea lice data. However, as the committee's report notes and as my committee colleagues have highlighted, the bill as it stands does not cover the issue. I welcome the fact that the Scottish Government will give further consideration to data publication and to whether data should be placed in the public domain. I note that the issue is to be considered by the ministerial group on aquaculture, although it is obviously disappointing that the group's next meeting will not take place until 26 March.

As is clear from the committee's inquiries, the data exist and in some circumstances are made available or shared as part of farm management agreements within farm management areas. However, as Douglas Sinclair from the Scottish Environment Protection Agency pointed out:

"It is one of the few areas in the Scottish environment in which someone can be doing something that can significantly impact on someone else's interests and there is no public access to what is going on."—[*Official Report, Rural Affairs, Climate Change and Environment Committee*, 5 December 2012; c 1431.]

I recognise the concerns about the publication of data on a farm-by-farm basis, but I am disappointed that the Scottish Government has not included in the bill a measure on publication of sea lice data on a farm management area basis.

Paul Wheelhouse: I ask Jayne Baxter to bear it in mind that some farm management areas might involve only a single company or, indeed, a single fish farm, and that that presents difficulties in publication of the data.

Jayne Baxter: I am aware of that. It is disappointing that, judging by the minister's response to the committee's stage 1 report, the Scottish Government does not intend to lodge amendments on the issue at stage 2. I support the committee's view that publication of data for areas that are covered by farm management agreements and statements could facilitate greater public scrutiny while—I believe—minimising the potential impact on the industry.

I note the voluntary proposal from the Scottish Salmon Producers Organisation to increase the level of publishing of data for the industry, which is a positive step. However, given the committee's recent experience in its evidence sessions of the relationships between sectors, I am sceptical as to whether a voluntary approach will be enough.

That point draws me back to the importance of establishing coherent, transparent and effective governance arrangements for the aquaculture industry and fisheries sector. The formalising of

farm management agreements and statements is to be welcomed, as they are crucial to establishing the framework surrounding farm management areas for the future. If a provision on the publication of data is not to be included in the bill as amended at stage 2, I would welcome early consideration of the matter by the ministerial group on aquaculture.

As we return to legislate on aquaculture just a few years after the Aquaculture and Fisheries (Scotland) Act 2007, it is clear that we must ensure that the legislation is fit for purpose in order to avoid having to repeat the exercise in the near future. Therefore, although I am pleased that the committee recommends support for the general principles of the bill, I hope that the Scottish Government will use the opportunity to make improvements at stage 2.

15:48

Angus MacDonald (Falkirk East) (SNP): As a relatively new member of the Rural Affairs, Climate Change and Environment Committee, I was pleased to take part in the bill scrutiny process from the start. The committee has undertaken extensive work. As the committee convener said, we had a large amount of submissions to digest as well as the information that was gleaned from our worthwhile fact-finding missions to Lochaber, royal Deeside and Montrose.

The bill has so many aspects that, like Alex Fergusson, I will be able to touch on just a few in the six minutes that I have for my speech.

The first aspect is aquaculture. We all want a sustainable aquaculture industry that is run with consideration for the environment and adapted to the marine environment and biological diversity. As a top-quality food producer, the aquaculture industry relies on good environmental conditions and water quality, which means that, if fish farmers are to protect their businesses, they have an obvious vested interest in maintaining good water quality and avoiding any negative impact on their surroundings.

Diseases and parasites represent a serious threat to wild salmon populations, and it is primarily sea lice that have the most serious impact on wild fish. The issue has proved to be a challenge to the industry in the past. The committee acknowledged that sea lice are an emotive and controversial issue, which has attracted a great deal of comment and conflicting views from stakeholders in responses to the Scottish Government's consultation and in evidence to the committee.

Although salmon lice occur in wild salmon and sea trout, they are an example of a parasitic

disease that has been intensified by the presence of a multitude of hosts in aquaculture facilities. In addition to being passed from fish to fish, the parasites can be spread over long distances by currents.

I was pleased that there was consensus in the committee on how to deal with the matter, and I was pleased that the SSPO announced an increase from six to 30 in the number of areas from which sea lice data will be collected. The committee seriously considered whether sea lice data should be published on a farm-by-farm basis, after taking evidence from the minister, the aquaculture industry, the wild fisheries sector and other stakeholders.

The minister said in his response to the RACCE committee's stage 1 report that he is

"encouraged by the SSPO's voluntary proposal to enhance its public reporting from 6 to 30 areas."

However, I and the majority of members of the committee—if not all of us—would much rather that sea lice data were published on a farm-by-farm basis or at least a farm management area basis. I note that the minister said of the SSPO's proposal:

"I consider this to be a significant development and an appropriate balance between public reassurance and commercial interests at this time."

I am pleased that the matter will be kept under close review, particularly if the voluntary approach does not bring the desired result and sea lice data are not independently verified.

Members will be aware that the committee's work on the bill overlapped with our scrutiny of the draft second climate change report on proposals and policies. It is fair to say that aquaculture has an impact on and is influenced by the climate. Changes in weather and temperature affect disease levels in fish and test aquaculture facilities' tolerance to disease.

The production and sale of seafood also affects the climate, through discharges. As we heard from the cabinet secretary when we were considering RPP2 at this morning's committee meeting, food production, including salmon production, has an impact in relation to food miles. There is a need for shorter supply chains. Major retailers here should be doing their bit by buying quality Scottish salmon rather than Norwegian salmon—to be fair, most retailers are doing that.

When the committee was considering the freshwater fisheries aspect of the bill, we saw at first hand the upper Dee riparian scheme. We learned about efforts to increase tree cover along parts of the river, to mitigate the effects of climate change-related rising water temperatures at times when salmon are spawning. It was good to see

what was going on, but it was worrying to hear that in other parts of the country riparian woodlands are being cut down to allow better access to the river for anglers. Such an approach is in direct contrast to the long-term planning that is going on in royal Deeside.

The committee heard that higher river temperatures may lead to reduced reproduction in salmon, as a result of physiological stress and increased susceptibility to disease. The higher temperatures might cause young salmon to migrate to sea earlier, which results in a disconnect in relation to the availability of marine food sources. Reductions in summer rainfall reduce summer flows, further increasing water temperatures while making it more difficult for salmon to migrate upstream. Increased winter flows might damage the gravels in salmon spawning beds, resulting in the loss of or damage to eggs.

The committee therefore recommended that the Scottish Government, as part of its review of wild fisheries management, consider how the experiences in the upper Dee scheme and other best practice can be rolled out across the country. The committee also recommended that

"the Scottish Government gives careful consideration to ensuring the Bill ... takes full account of climate change mitigation measures, to ensure the aquaculture and wild fisheries sectors contribute to helping Scotland meet its statutory climate change targets and are able to continue to adapt to the emerging effects of climate change."

The river restoration fund is a good example of a way of making that happen.

I hoped to have time to talk about fixed-penalty notices, protection of shellfish waters, and wellboats and the need to ensure that fabrication and retrofitting happens in Scotland, but my time is up. I have covered a few of the issues that the committee considered, but I am sure that my committee colleagues will pick up on other aspects of the bill in the debate.

15:54

Graeme Pearson (South Scotland) (Lab): As someone who is not a member of the committee, I am delighted to be speaking in the debate. I wish the minister well in seeing his first bill through Parliament successfully. In spite of some divided opinions shared with the Rural Affairs, Climate Change and Environment Committee in evidence sessions, we have had a largely consensual debate around the measures proposed in the bill, although with the caveat that the committee believes that the bill can and needs to be improved before it can achieve the aims set out by the Scottish Government. I have to say that I share that view.

Given that the Scottish Government has recognised that it is not only achievable but desirable to strengthen the bill and given that it has already suggested some amendments for stage 2—should the bill pass stage 1—I believe that we can support the bill with a degree of confidence that it will be improved considerably by stage 2.

One aspect of the bill that the committee feels needs strengthening is the provisions on illegal cockle fishing. I have a particular interest in that, not solely because of my engagement in South Scotland as a regional representative but because since the cockle-fishing ban was introduced in the Solway almost 18 months ago criminal gangs have been involved in poaching there. Those gangs have been organising the lifting of significant numbers of cockles and have often been exploiting foreign workers to get the work done.

Despite that being a major problem, the police have struggled to prioritise sufficiently work to tackle it as the current legislation does not give them a sufficiency of powers to deal with it. The Scottish Government has recognised the need and the potential to strengthen the bill in that respect. I am pleased that the committee has backed the principle that the bill be improved to help deal with illegal cockle picking and has advocated that the Scottish Government discuss any possible amendments with the police and other authorities to ensure that the bill addresses the issues that officers are experiencing on the ground.

The committee also advocated that the Scottish Government consider the suggestion made in evidence sessions by David McCallum, a chief inspector in Dumfries and Galloway Constabulary, that any amendment be split into two parts: the first to deal with a person found in circumstances in which it is reasonable to suspect that they intended to commit the offence; and the second to deal with those found with tools and paraphernalia from which it is reasonable to conclude that they intended to commit the offence. It is crucial that any new legislation is fit to deal with organised criminality in this context. I commend those suggestions to the committee and to the Parliament.

The committee rightly noted in its report that strengthening the bill will not in itself be enough to resolve the issue of illegal cockle picking or other illegal shellfish harvesting in Scotland. It did, however, suggest that further progress could be made if the Scottish Government continued to work closely with all relevant agencies and industry bodies to develop proposals for tackling issues such as the difficulty in tracing and tracking

shellfish and the documentation required to sell it both in the UK and overseas.

Alex Fergusson: Does the member agree that the best way to prevent illegal shellfish, and particularly cockle, fishing is to encourage legal fishing activity? The more that can be done to bring about an open cockle fishery on the Solway, the less likelihood there will be of illegal activity.

Graeme Pearson: I concur with the member's suggestion. Equally, however, I am sure that he would acknowledge that organised crime will seek profit wherever it can. The amendments that have been suggested are therefore essential.

I hope that by working with the industry and other relevant agencies, including those engaged in money laundering investigations, and by giving the police powers to deal more effectively with illegal cockle fishing, it will be possible to shut down that avenue for criminal gangs to raise money and thereby reduce the potential for the exploitation of foreign workers in that process.

I also hope that, by foiling poachers, we will ensure that there is a sustainable cockle population in the Solway. That could also help with the establishment of a fishery that is run by local fishermen who fish responsibly and that provides local jobs.

The extent of the bill is such that I could not possibly cover it all in my speech. However, on the issue of sea lice, I agree with the comments that Alex Fergusson made earlier. I hope that some cognisance will be taken at stage 2 of the way in which we measure sea lice and deal with the threat that they present.

16:00

Nigel Don (Angus North and Mearns) (SNP): I cannot recall approaching a bill on a subject about which I knew so little, so I start by thanking the committee clerks, the staff of the Scottish Parliament information centre and others who have educated us. I am sure that every other member of the committee started in a better place, but I really did not know much—possibly only one end from t'other—as far as salmon went.

I particularly draw attention to the contribution of our visit to the upper Dee riparian scheme, and I thank Mark Bilsby, the river director. I am also conscious, as are other members, of the enormous contribution that Marine Harvest made to our education. I thank Steve Bracken on the record for that. Members in the chamber who were not involved in those visits can be reassured that the committee learned a great deal from them, and as a result we are in a position to produce a stage 1 report that is, at the very least, well informed.

I want to comment briefly on the points that others have made about the number of emails that we have received. I think that the industry is perhaps still not learning. A document that arrived yesterday has lots of pretty pictures and writing in white on a dark background that is almost impossible to read. In contrast, I commend Alan Wells, whom I think we can commend throughout, for the clarity of his information, which has black writing on white paper and is on two sides of a single piece of paper. I think that that is the way forward. Outside bodies might like to take note.

We picked up, in particular, that there are conflicts across the industries. Fish farms are seen by the angling community as being the providers of lice, and the netmen are everybody's enemy because dead fish do not spawn. We need to understand—some members have alluded to this already—that the economic conflicts that are inherent in all of this are inevitable and they must be respected. We have to work with them; we cannot get rid of them.

On the issues of anglers and netmen, I note that the long-term trend in salmon returning to our waters has been downward. Perhaps it is stabilising, as the convener said, but perhaps it is not, because we will only know afterwards. The data never quite tell us at the time. I therefore commend the catch and release scheme on the River Dee. We were impressed by the work on that.

I also need to note the views of Usan Salmon Fisheries in my constituency. It is concerned about some of the controls on it, and it wants to see a days at sea approach as an alternative to its having to get its nets out at the weekends. We understand that. Also, it likes the idea of management being transferred to the Scottish Government. We looked at that and—I think rightly—we concluded that the Government needs to consider the issues more deeply. I am glad that they will be looked at.

We must not lose sight of the fact that these fishermen work in a business to which they have a proprietary right. However difficult we might find the management of that, we must not lose sight of their rights. I do not think that the Government will do that.

Lastly, I turn to a subject that others do not usually think about. As convener of the Subordinate Legislation Committee, I would like to comment on what we did and the Government's response to it, because I think that it will be instructive.

Marine Scotland's responses show that in the first instance there is a matter of clarity. The committee drew the Government's attention to the status of the code of good practice, and the

Government responded with the view that "a clarificatory amendment" will be made and, in addition, it will make an amendment to new section 4A. We have seen the Government respond to concerns about clarity regarding what a code of practice might be.

There were also concerns about the powers that the bill will give. Regulations under section 3(1)

"confer functions on any person in relation to the prescribing of requirements."

The Subordinate Legislation Committee was naturally concerned about that—the right people should have powers. The Government responded by saying that that will

"be adjusted, by way of an amendment at stage 2", for which I thank it.

There was also some concern about the level of fine. The Parliament should be extremely concerned about that. Levels of taxation should not be open ended, and I suggest that, in principle, levels of fine should not be open ended. The Government has again responded appropriately. It said that

"Further consideration will ... be given"

to the specifying the level of

"a daily or periodic fine."

Finally, the committee was concerned about procedure. The committee noted that, after discussion and reflection on delegated powers, the Government has decided that the affirmative procedure would be more appropriate, and it will bring forward amendments at stage 2. The detail need not concern us, but I thank the Government for those responses.

I have taken the opportunity to highlight some of the things that the Subordinate Legislation Committee looks at, because I do not think that we highlight them very often.

16:06

Jim Hume (South Scotland) (LD): To say that the progress of the Aquaculture and Fisheries (Scotland) Bill to date has been without controversy would be pushing the truth to some degree.

It has become apparent that the wild fishery sector and the aquaculture sector have differing views on what is best for their different sectors in some locations. For us on the Rural Affairs, Climate Change and Environment Committee, it has been apparent how important the two sectors are for Scotland. Wild fishing in the likes of the Tweed, Dee and Tay brings in a huge amount of income and generates a huge amount of employment, not to mention that wild fishing is the

most popular participant sport in the UK and thus a large attraction for the tourism industry. Throughout Scotland one will find many hotels full due to anglers, who are so important that when a family member of mine looked to have a wedding reception in Kelso, one particular hotel was unavailable as at that time of year the anglers came to fish on the famous junction pool on the Tweed.

Angling is an iconic sporting pastime in Scotland, which Stewart Stevenson mentioned, but aquaculture, too, has an important place in our economy. Although it is located more in the north and west, it nevertheless provides important employment opportunities in communities where there may be less on offer. The Government has recognised the further economic opportunity that aquaculture could provide for Scotland. The Scottish aquaculture industry has an admirable ambition to grow by 32 per cent by 2020, which is supported by the Scottish Government.

That ambition has to be achieved sustainably—I hate to use that word, which is often overused. All stakeholders agreed that we need a clean environment for not just the wild fish and invertebrates but the fish farms that are located in our wild places.

Many people raised the concern of sea lice and the potential of outbreaks from fish farms to wild fish, and, of course, from wild fish to fish farms, although it has to be argued that wild fish are by definition wild and therefore there could be little human intervention in them that would increase lice population.

There are concerns that if fish farms are mismanaged they could be a breeding ground for pests such as sea lice, although representation to the committee stated that the aquaculture industry has a good, clean image, and of course it is in its interest to treat and control any pests that may be present. I believe that that clean image is already being used as a powerful marketing tool by the industry. The recent horsemeat scandal has highlighted the importance of good local food, which farmed Scottish fish has the advantage of being, and the importance of keeping the clean, green image of our wild and farmed fish, not just for the public in Scotland, but for our export market and tourist industry.

Concerns were expressed on both sides, not just about pests such as sea lice but about escapes of farmed fish into the wild. During the committee's debates on the bill, I highlighted the example of rainbow trout, a non-native species that is farmed in my region. The trout are treated at egg stage to become what are known as triploids; basically, they are made infertile to ensure that if any of them escape they have no

chance of creating their own community, which would obviously displace our native fauna.

Triploids do not seem to be widely used in salmon fishing in Scotland, although good research has been carried out on that issue at Stirling. The industry has expressed concern that triploids do not grow as fast as normal fish, but they are still a non-chemical, non-genetic way of ensuring that any farmed fish that escape have no chance of breeding with our native stock. I would appreciate it if the minister, along with the industry and stakeholders, could examine that issue to find out whether there is still scope for using triploid salmon fish to negate results of unintentional escapes and I ask the minister to mention the issue when he sums up.

The bill addresses not only what needs to be done to best protect our environment while we grow the aquaculture industry, but the transparency of district salmon fishery boards. To be honest, I think that the Government has provided scant detail of what it wants to achieve with the boards and when and why it wants to take such measures. I questioned the minister on that very matter at committee; after all, this has been talked about since at least the 1960s with little real change being made. We should note that the good work of many advisory boards in the catchment areas of the Tweed, Nith and Dee has significantly improved riparian habitat and non-native species control and we are now reaping the benefits with increases not just in salmonid species but other aqua fauna. According to the Tweed Foundation's figures, more than 13,000 salmon alone were rod-caught last year and in the first half of last year returns were 13 per cent above the five-year average.

The Liberal Democrats support the bill at stage 1. We recognise the importance of a sustainable wild and farmed fish industry for economic and environmental reasons and look forward to the bill's further stages and any amendments that may improve it.

16:12

Richard Lyle (Central Scotland) (SNP): As a member of the Rural Affairs, Climate Change and Environment Committee, I am very pleased to take part in the debate and hope in the time available to cover the essence of the bill.

Committee members carried out fact-finding visits to salmon rivers, wild fisheries hatcheries, coastal netting stations, fresh and seawater fish farms, scientific stations and processing plants and, with the extensive written and oral evidence that it has received, the committee has built up a detailed picture and understanding of both the aquaculture and wild fisheries sectors. Given that

their economic, environmental and social contributions and impacts are of considerable importance to Scotland, legislation is needed to enable them to develop sustainably and to co-exist as harmoniously as possible. Salmon farming and wild fisheries are vital industries for the coastal and inland parts of Scotland.

Climate change might have many implications for aquaculture and fisheries in Scotland. For example, in the case of salmon fisheries, any increase in river temperatures might reduce salmon reproduction. Reductions in summer rainfall will reduce summer flows, which will also increase water temperatures and make it more difficult for salmon to migrate upstream, and increased winter flows might scour the gravels and salmon spawning beds, resulting in the loss of or damage to eggs.

The bill places requirements for farm management agreements and farm management statements on a statutory footing, but I note that a significant majority of Scotland's fish farms are already operating voluntarily within such a system.

Committee members have heard a range of opinions on the number, causes and effects on the wider environment of escapes from fish farms. Given that such escapes are obviously undesirable for the aquaculture and wild fisheries sectors, it is important for the sectors to work together to limit the number of escapes and their effects.

I note that some fish farms are putting in better nets with finer mesh to make it hard for seals to access them. Many fish farms are deploying acoustic deterrents in a bid to keep seals away from the farms. The culling of seals is not supported by the general public—or by me. Non-lethal alternatives need to be explored to allow seals to co-exist with the aquaculture industry. I welcome the efforts of some parts of the aquaculture industry to pursue alternative measures—in terms of netting and other equipment—that would prevent seals from being able to break through into farm cages. I also welcome the work that is being done at the University of St Andrews to develop an audio device that is as humane as possible for seals and which does not harm other species. I am encouraged that that device has secured investment.

As part of its evidence gathering, the committee learned that few, if any, wellboats are built in Scotland—they are mostly built in Norway. The retrofitting of wellboats may also largely take place in Norway. Like the convener, I encourage the Scottish Government to work towards securing further building and retrofitting of such vessels in Scotland.

The committee has taken evidence on provisions to allow the introduction of a carcass tagging scheme for all net-caught salmon to replace the current voluntary scheme, making it an offence to sell or possess salmon that is not tagged.

I compliment the work of the committee convener over the past months, the work of other committee members with regard to the bill, and especially the work of the clerks and the advice that they have given us. As I mentioned at the beginning of my speech, members visited various areas and fish farms. Unfortunately, due to an eye operation that weekend I was not able to go on those visits. However, I commend the bill to the Parliament.

16:17

Margaret McDougall (West Scotland) (Lab): I speak as a former member of the Rural Affairs, Climate Change and Environment Committee. I was present for most of the bill inquiry, but unfortunately I left before the scrutiny was concluded.

During the inquiry, I took part in a committee visit to Aberdeenshire to the upper Dee riparian scheme to look at salmon fisheries issues and then went on to the Usan Salmon Fisheries in Montrose. I thank the people who were involved in facilitating those visits, because I found them incredibly useful and much more informative on the practical issues that are facing aquaculture fisheries than sitting round a committee table.

Environmentally, we need to promote sustainable fishing and tackle the effects of climate change. While at the upper Dee riparian scheme, we saw proactive attempts to mitigate the effects of climate change such as using tree cover to lower water temperatures to enable salmon spawning, which has already been mentioned. It was hard to believe that while we stood shivering on the banks of the Dee, salmon were under threat of losing their spawning ground if the water temperature increased by another degree. I recommend that the Scottish Government looks at the methods that are being used by the Dee scheme to mitigate climate change as part of its review into wild fisheries.

At Montrose we heard about the challenges that are experienced by the netsmen in keeping to close times because of bad weather and other circumstances. Although adherence with close times is important for conservation and stocking reasons, account must be taken of the operational issues that are faced by netsmen. It was suggested to the committee that current close times should be replaced with a designated days-at-sea allowance. However, I concur with the

committee's conclusion that that would not be an acceptable solution, due to the difficulties that it would pose. The issue is due to be included in the Scottish Government's forthcoming review of wild fisheries management, which is a welcome development.

The Aquaculture and Fisheries (Scotland) Bill is designed to make changes to the law on fish farming and shellfish farming, including new requirements for freshwater fishers, changes to the law on sea fishers and shellfish waters and the ability to introduce fixed-penalty notices for certain offences in aquaculture fisheries, to name but a few.

It is vital to ensure that the bill is not only fit for purpose right now but fit for purpose as we move into the future. Since the Aquaculture and Fisheries (Scotland) Act 2007 was passed, progress has been slow and work is still required. I agree with the committee report in stating that it is disappointing that we have needed primary legislation so soon after that act. We must ensure that the new bill is robust, sustainable and fit for purpose. There are still a number of reviews to be carried out, and I ask why they were not all included in the bill.

We need a bill that will promote sustainable aquaculture and wild fisheries, economically and environmentally, in the long term, given how important those industries are to Scotland.

The aquaculture industry is looking to grow by 32 per cent by 2020, which is about 4 per cent each year. In evidence, Steve Bracken, of Marine Harvest, said:

"salmon farming and wild fisheries are both vital industries for the coast and inland parts of Scotland. I am absolutely sure that we can go on and become bigger and better in both areas."—[*Official Report, Rural Affairs, Climate Change and Environment Committee*, 5 December 2012; c 1466.]

We need to ensure that the bill supports that growth.

Sustainable fishing faces many challenges, not least the threat to fish stocks from predators such as seals. I believe that the committee's conclusion that seals should be shot to protect fish farm stocks only as a last resort is correct. It is important that non-lethal alternatives such as netting and other equipment such as audio seal scarers should be used, provided that they are as humane as possible and do not harm other species. I am pleased to hear that the minister has informed the Rural Affairs, Climate Change and Environment Committee that work continues to be done to find further options for seal management.

I support the bill at stage 1, but I want it to be more robust so that it not only promotes economic and environmental growth but brings Scotland's

aquaculture and fisheries sector into the 21st century, making the sector sustainable in the long term.

16:22

Graeme Dey (Angus South) (SNP): As Alex Fergusson and Angus MacDonald have said, it would be impossible to cover every aspect of the bill and the stage 1 report in six minutes, so I will confine myself to addressing two aspects, in particular the most contentious one, which is the publication of sea lice data. That topic has been the cause of considerable discussion and will continue to be so. As the minister has confirmed today, the Scottish Government is minded to continue the voluntary approach, accepting a commitment from the SSPO to move to publishing data online, with a time lag, on a 30-area basis.

The committee heard evidence that, in Ireland, there has for some time been access to such information on a farm-by-farm basis, and that it has been made public within a month of monitoring being carried out. I found myself asking why we should not do that in Scotland, especially when—as I understand it; the minister might clarify this later—the data is recorded on that basis and is available to the fish health inspectorate on request. I found the resistance of the SSPO to that level of granularity to be poorly explained. Its input to the debate on the issue did not come close to neutralising the contribution of Douglas Sinclair of SEPA, who said that this is

"one of the few areas in the Scottish environment in which someone can be doing something that can significantly impact on someone else's interests and there is no public access to what is going on ... if someone lives downwind of smoking chimneys on a factory and they want to find out what is in the smoke, they can find out from us—from the published record. Fish farming in Scotland is the one omission. For all sorts of reasons, it ought to be sorted out and the information ought to be published."—[*Official Report, Rural Affairs, Climate Change and Environment Committee*, 5 December 2012; c 1431.]

However, when Paul Wheelhouse made a case for the industry's position, he revealed that there was more to it than simple intransigence. He explained that there was substance behind talk of commercial sensitivity and that there is a genuinely held and perhaps justified concern that retail contracts that are placed with firms on multiple farms might be jeopardised if it became public knowledge that one of the locations had a significant sea lice issue.

There is no easy solution to the issue, or one that will satisfy everyone. The committee believes unanimously that greater transparency is required in the aquaculture industry, although we recognise that that could threaten reputational damage for companies and potential difficulty for the marketability of an important food product and

employment in rural areas in an industry that is reckoned to employ, directly or indirectly, up to 6,000 people.

Claudia Beamish: Does the member agree that the possibility of a delay in the publication of the sea lice data would help with regard to the SSPO's concerns?

Graeme Dey: I do, indeed. The recommendation in our report that the ministerial group on aquaculture look closely at the possibility of data being collated and published with a built-in delay on the basis of a farm management agreement or farm management statement struck us as a reasonable compromise. However, the matter will undoubtedly be returned to if the bill reaches stage 2.

In his response to the committee's report, the minister defended the 30-areas approach, describing it as striking

"an appropriate balance between public reassurance and commercial interests at this time."

He added that, although he regarded the new set-up as moving things

"forward in a balanced and proportionate way,"

he would

"keep the matter under close review."

To shed further light on the matter, could he clarify in his closing remarks whether figures reported for the 30 areas would be subject to independent verification?

I turn now to salmon netting and in particular its management. The committee heard of the conflict that can arise between the netting interests and district fisheries boards. We were made aware in evidence of the desire of some to see coastal netting removed from the management of local fisheries and placed under the control of the inshore fisheries team. Further, we heard suggestions for introducing a days-at-sea regime rather than the current weekly close time arrangements. However, as the convener indicated earlier in the debate, the committee was not persuaded that either way was necessarily the correct path to tread.

The obvious question is how in practice a changed set-up could be monitored. In addition, members heard nothing to suggest that the conflict between netmen and boards is so widespread as to justify the suggested moves. That said, no one doubts the difficulties and, indeed, dangers that netmen can face in plying their trade, so it is welcome that the Scottish Government will look at the whole issue as part of its review of wild fisheries management.

Like Alex Fergusson and others, I express gratitude to the SPICe team and the committee

clerks for the support afforded members in scrutinising the bill and producing the report. As noted on page 1 of the report and as mentioned by other speakers, the process of arriving at conclusions on the bill's proposals was not helped by the adversarial engagement of some of those holding an interest in the subject matter, who felt it appropriate to launch excessive levels of counterclaim evidence.

The evidence that was gathered in the committee rooms of the Parliament and out in the field furnished members with a balanced and objective knowledge base on which to reach conclusions. However, the committee continued to receive, by way of follow-on from stakeholder sessions, many responses that did not add to the sum of knowledge on the issue and which, in some instances, merely comprised an attempt to discredit alternative viewpoints. In spite of that, the committee produced a stage 1 report that we feel appropriately reflects the situation out there and identifies areas of the bill that could undoubtedly be improved by amendment.

I seek members' support for the stage 1 report on the Aquaculture and Fisheries (Scotland) Bill and for the broad principles of the bill.

16:28

Jean Urquhart (Highlands and Islands) (Ind):

I am pleased to have the opportunity to support the bill's basic principles at stage 1. Although a lot of my colleagues have identified during the debate issues that require more work or consideration, I think that there is consensus that work can be done to improve the sustainability, accountability and transparency of the aquaculture and wild fisheries sectors. Indeed, the Rural Affairs, Climate Change and Environment Committee's report on the bill commented that

"the current draft of the Bill is very much the starting point, and should the Bill reach Stage 2 it will require amendment in order to make it ... robust".

There is no doubt that the cabinet secretary and the Government have a tough and delicate task on their hands. Again, the committee's report reflected the difficulties in finding consensus on the way forward on contentious issues due to current difficulties between the aquaculture and wild fisheries sectors. Although it is not something that can always be addressed by legislation, I am sure that we would all agree that improving the relationships could and should be part of the process.

The importance of the aquaculture and wild fisheries sectors to Scotland's Highlands and Islands communities must not be underestimated. The popularity of Scottish salmon continues to grow at an exponential rate, with aspirations to

increase sustainable production by 4 to 5 per cent per annum until 2020. Enabling the sectors to continue to grow and to provide jobs and exports in an ecologically sound manner is essential to ensuring the sustainability not only of the sectors but of many rural and remote communities. However, do we know what the increase of 5 per cent per annum until 2020 will look like? Planning applications are already being refused on the basis of proliferation. We need a national plan if we want to see such growth.

Recognising the opportunity for Scotland and realising its potential is the right thing to do. Being sensitive to the natural environment, legislating against abuse by a large industry, always protecting the fantastic wild salmon and its life cycle and believing that quality must not be compromised by quantity should all be Scotland's trademarks.

Of the issues that the bill seeks to address, I am of the opinion that the presence of sea lice and the strategies used to contain them will be paramount to the bill's success. I welcome the minister's announcement of £1 million of funding for scientific research. I believe that that is essential not only to reassure the public but to ensure that we have sustainable growth in fish farming.

In conclusion, I support the bill at stage 1. I look forward to seeing work on the bill continue over the coming weeks and months to create a strong framework for the sector.

The Deputy Presiding Officer (John Scott): We move to closing speeches. I call Jamie McGrigor—you have seven minutes or thereabouts.

16:31

Jamie McGrigor (Highlands and Islands) (Con): I refer members to my fisheries entry in the register of members' interests.

During my time as an MSP, I have spoken in numerous aquaculture debates and my consistent theme has been the need to see the sustainable co-existence of the aquaculture sector and the wild fisheries sector. That remains my position, and I am very glad to say that it seems also to be the strong view of the committee, whose report—as Claudia Beamish quoted—rightly states:

“As important as this legislation is, perhaps of equal significance for Scotland in the long-term, is improving the current relationship between the wild and farmed fishing sectors”.

On that point, I am encouraged that there seems to be more positive dialogue between Alan Wells of the ASFB and Scott Landsburgh of the SSPO. One cannot blame either of them for supporting their own sector, but the key is surely

sensible compromise based on scientific and circumstantial evidence. Both fisheries sectors need to be profitable to help the Scottish economy. As I have said before, a prosperous salmon farming industry will be much better equipped to care for environmental issues than an industry that is hanging on by its fingertips.

In that context, we must remember that the salmon farming industry has been afflicted not only by sea lice but more recently by amoebic gill disease. The £10 million that is being spent on treatment of that new salmon plague is part of the £26 million that is spent annually on fish treatments within the industry. I am disturbed by news that Slice is no longer working as well as it did as a sea lice preventative, but I am encouraged by the cultivation of ballan wrasse for use as a cleaning fish, which acts as a non-chemical agent for the industry.

As a member of the European and External Relations Committee, this morning I visited Scottish Sea Farms, which was a very enlightening and worthwhile experience. Scottish Sea Farms placed emphasis on the need for a national strategy for aquaculture, so I ask the minister to take that on board. The company also talked about the need for a link between production and processors, which does not seem to exist to a great extent at the moment.

As a Highlands and Islands MSP, I am hugely aware that both farmed fish and wild fisheries businesses are crucial. Aquaculture is a very big part of Scotland's growing food exports, and wild salmon and sea trout fishing attract substantial tourism income to our communities, with spin-offs for hotels and shops.

Having recently spoken to the SSPO, I understand that its ambition is for growth of some 4 per cent per annum. That was confirmed this morning by the Scottish Salmon Company, which said that 4 per cent is on the optimistic side. That is hardly the same as the Scottish Government's call for a 50 per cent increase in production as soon as possible. I feel that that assertion has caused a great deal of angst among the wild fish interests, who perceive that sudden growth of that nature might have an extremely adverse effect on wild fisheries. A sea loch can only take so much biomass, which is understood well. Will the minister comment on that?

The committee called for improved publication of sea lice data, which was mentioned by Alex Fergusson, Graeme Pearson and Graeme Dey. It saw no reason why new transparency measures should not be based on the Irish model or applied farm by farm. Who would disagree with that level of transparency in principle? However, the SSPO has pointed out to me that the matter is complex. It considers that such a policy could hurt individual

farms that have reached the testing threshold too often. In other words, people and markets could lose confidence in the product of an individual farm, and the SSPO is therefore trying to protect its members.

The SSPO has devised a new sea lice reporting system—which it says is more transparent than any other in the world—which will cover more than 30 areas of Scotland's west coast and report every quarter. The SSPO compares that with Norway's system, which tests only nine areas. However, in Norway, the figures for individual farms can be accessed by the public, which is the case in Ireland, too. I have sympathy with the SSPO's point about individual farmers, but I fail to see why transparency on sea lice burdens should be such a bad thing in Scotland when it is commonplace elsewhere. What is there to hide? According to the SSPO's principle, a farm that was not burdened by sea lice might find itself tarred with the same brush as one that was burdened by sea lice if it happened to be in the same reporting area. The SSPO's policy is a double-edged sword. We will see what ensues at stage 2 in the debate on the issue. However, it is important to get the best compromise for all the sectors because, although the past may be important and can be learned from, what is crucial is the future, and the dogma of the past must be put aside.

The committee rightly highlights the undesirable impact of escapes of farmed fish. It is vital to have instant reporting on when and where escapes happen. Whatever the technological advances in sea-cage design, the incredible combined power of wind and water will make some escapes inevitable, so mitigation measures are essential. In that regard, I am glad that the committee praised the good work of Marine Harvest in its training of fish farm workers, which is key, as Claudia Beamish suggested.

The possible establishment of onshore sites is an interesting development that will doubtless catch on, if successful. I press for more research and development on other species—especially halibut, which do not host sea lice and could be farmed more widely in Scotland.

Will the minister explain why there are virtually no salmon farms on the east coast? The SSPO requested that I ask that question.

On wild fisheries, the committee is correct to report that we need more data on why east and north coast rivers have increased runs, but most west coast rivers suffer declines. What has happened to the grilse run on the west coast in the past two years? How do we bring back sea trout fishing to the glory days of the past in places such as Loch Maree and Loch Na Sealga in that outstandingly pretty part of Scotland?

On the subject of district salmon fishery boards, the Conservatives support the principles behind the good governance requirements, but we agree with the committee that some of the smaller boards do not have the resources to cope with all the proposed requirements. However, those smaller boards have important local knowledge, which is a vital component of good management.

There have been good speeches in the debate—Alex Fergusson's speech warmed the cockles of my heart. I am sure that Lord Foulkes would have had trouble pronouncing illegal cockling, too.

We agree with the committee that the bill is a starting point. We look forward to improving the bill at stage 2 so that it is of genuine benefit to the wild fish and the farmed fish sectors.

16:39

Claire Baker (Mid Scotland and Fife) (Lab):
This has been a wide-ranging debate with many interesting speeches.

I wish the minister all the best in taking forward his first piece of Government legislation. He might get through this afternoon quite comfortably, but stage 2 might be a bit bumpier.

I thank members of the committee for the time that they took to prepare the stage 1 report. They not only considered the proposals in the bill but took the time to consider the broader issues and discuss issues that are outwith the bill's scope. I know that that involved more than taking evidence in cosy committee rooms. The committee also travelled to salmon rivers, wild fishery hatcheries, coastal netting stations, fish farms and processing plants—we have heard about some of those experiences this afternoon—all in the deepest, darkest Scottish winter. I am sure that that is the kind of team building that companies cannot pay for these days.

The breadth of the issues that have been discussed this afternoon perhaps demonstrated the bill's limitations. The committee has stressed the need for the legislation to be fit for purpose for many years to come. There are exceptions—the area is complex—but, having introduced legislation as a first step, the Government needs to be careful that subsequent reviews and discussions do not weaken the bill. For example, in her opening speech, Claudia Beamish spoke about the importance of how the bill connects to the marine plan.

In the pre-legislative consultation document that explored the possible content of the bill, the Scottish Government said:

“aquaculture production and salmon and freshwater fisheries are estimated to be worth over £650m ... to

Scotland ... It is important that both sectors—and their interactions—are managed effectively, as part of the wider marine and freshwater environment and to maximise their combined contribution to our aim of sustainable economic growth in Scotland.”

The bill aims to address those issues.

The consultation generated more than 1,000 responses. There is no denying that opinions were strongly divided. It would certainly be difficult to make easy progress on some of the issues that were raised.

However, the Government’s solution to that was to produce a bill that was accompanied by a further document outlining where future action was planned for the matters that were not addressed in the bill—which, coincidentally, also seemed to be the matters that caused the greatest dispute.

Unlike James Isbister, who caught a 6ft ling this week, the Government seems to have cast a line, got plenty of bite but failed to land the big fish.

Although the bill seeks to improve the regulatory framework, it has increasingly been seen as the start of a process, with much work being left to the refreshed ministerial group on aquaculture and a forthcoming review of wild fisheries management.

The committee talks about the need for a “coherent wild fisheries management structure”.

It is a point well made. The minister must be mindful of the need for continuity and coherence.

Many members referred to the tensions between stakeholders and to the sometimes contradictory evidence that was received—a point that was strongly emphasised in the stage 1 report.

Scotland has a growing aquaculture sector. The Scottish Government recognises its importance to the economy. Scottish farmed salmon is viewed as a high-value, high-quality product throughout the world. It is Scotland’s top food export and is marketed in more than 65 countries, with particular growth in the far east. It employs more than 6,000 people often in rural areas, and there is a target of increasing the production of all farmed fish by 50 per cent by 2020.

Alongside that industry is a wild fisheries sector, which is also highly valued in Scotland and throughout the world. One of Scotland’s most iconic images is of a wild salmon leaping up a river. That fish must be protected, as well as pursued, in its native environment.

In its briefing for the debate, the Scottish Wildlife Trust highlighted the fact that there has been a decline in Atlantic salmon in European waters over the past three decades. It identifies the complex reasons—food availability, water temperature changes, pollution, barriers in rivers, overfishing

and the effects of aquaculture—and recognises that probably a combination of all of them has contributed to decline.

Claudia Beamish: I want to stress something about being a sea trout champion that I did not get time to say in my speech. The serious point is the concern that the sea trout is under even greater threat than the salmon. Jamie McGrigor highlighted that as well. I would like the minister to be aware of that issue.

Claire Baker: I thank Claudia Beamish for her intervention.

Although the two sectors need to coexist, an appropriate balance needs to be struck, and there needs to be greater trust and transparency. The level of regulation is crucial. No one wants us to have regulation that would damage an important Scottish industry, but calls have been made for proportionate regulation, in recognition of the fact that across our food chain there is a need—perhaps now more than ever—for transparency and, as my colleague Jayne Baxter highlighted, robust governance.

As many members identified, how we report sea lice is the most contentious issue and, in some ways, it is one that encapsulates the tensions that exist across the sector. It raises issues of proportionate regulation, of transparency, of trust, of consumer confidence and of the importance of a science-led approach. Both sides of the debate make persuasive arguments, of which Graeme Dey gave a good description as he outlined the nature of the debate that has taken place in the committee. I welcome the recent moves by the SSPO to increase its accountability, but I recognise the strong arguments in favour of a more robust reporting system. Although the minister has ruled out a Government amendment on the matter at this stage, the importance that the committee has attached to the issue suggests that we will return to it at stage 2.

In the time that I have left, I will pick up on a few issues that members have highlighted. Graeme Pearson and Alex Fergusson discussed illegal cockle fishing. Thankfully, cases of illegal activity and exploitation in the sector are few and far between, and it is important that we do not allow the activities of a minority to tarnish the reputation of the rest of the sector. I am pleased that the Government has recognised the need to strengthen the legislation in this area. It is important that the Government works with the Scottish police service, the industry and other relevant agencies to ensure that robust further progress is made.

It is interesting that many members have talked about areas that were discussed in the consultation, but which were not included in the

bill. That indicates that there is much more work to do.

I will touch briefly on the issue of commercially damaging species. In its report, the committee suggested that the Scottish Government should take the opportunity to re-examine the issue and to consider lodging amendments, but at the moment the minister continues to argue that the current proposals are proportionate. I hope that the Scottish Government will reflect on the committee's comments as the bill moves forward.

Angus MacDonald and Richard Lyle talked about the potential for the bill to contribute to tackling climate change challenges, as well as the challenges that the sector faces. Rob Gibson and Margaret McDougall spoke about the contentious issue of seals and reflected the committee's support for greater use of alternative predator controls. Jim Hume discussed escapes and promoted a solution; we await the minister's reply. The committee recognised that escapes from fish farms are undesirable and stressed the importance of all sectors working together to minimise them.

The report also raised concerns about biomass. Last year in the chamber, I highlighted to the minister the concern that the aim of increasing the production of all farmed fish by 50 per cent by the year 2020 could result in a subsequent increase in the use of chemical treatments. I reiterate that point and ask for assurances that the Government is actively looking into the issue. It is important that the regulatory framework that the bill contains is robust enough to ensure that any increases in aquaculture will be suitably managed and regulated.

It has been an interesting debate, in which there has been as much discussion of what is not in the bill as there has been of what is in it. We might be moving towards stage 2, but wider issues need to be addressed before we can be confident that we have an aquaculture and fisheries sector that is fit for the 21st century, and which will meet the needs of the industry and the wider environment. Those will need to be resolved through the bill or through future work by the Parliament.

16:49

Paul Wheelhouse: We have had a good and intelligent debate. There is agreement around the chamber in support of the general principles of the bill. I am extremely grateful to members for that and for the constructive approach that everyone has taken in my first debate as a minister leading a bill. The debate has been constructive in allowing consideration of how the bill might be improved, of why we chose not to legislate on some of the issues that we consulted on and of

the consultation process. I am grateful for all the contributions and will reflect on them, although it must be recognised that no bill that introduces any change or regulation will ever receive unqualified support from all stakeholders.

Bruce Crawford (Stirling) (SNP): As usual, we heard a very interesting speech from Jamie McGrigor this afternoon. He mentioned that there were no fish farms on the east coast. I recently visited the Cromarty Firth and the Moray Firth, around Avoch. I saw what looked suspiciously like cages for fish farming at both locations. Am I correct in assuming that they are fish farms and that Jamie McGrigor got it wrong?

Paul Wheelhouse: I can confirm that both those areas are on the east coast. Not having visited the sites myself, I cannot confirm whether there are fish farms there, but they are certainly both on the east coast.

Many of the comments that have been made relate to enabling powers that we are seeking through the bill. The detailed work on that continues and the powers will be discussed with stakeholders and will be consulted upon as we develop the relevant regulations and before we bring the secondary legislation to the Parliament—that picks up a point that Tavish Scott made early in the debate.

Other issues will be considered in our review of the management of salmon and freshwater fisheries. Many members highlighted the importance of that exercise, and I recognise and support that view. Further issues are progressing in discussions with the sectors concerned and voluntary arrangements are being made, such as on the issue of sea lice data.

I will try to address some of the specific points that have been raised. The honourable Jamie McGrigor has just been mentioned. He and Claire Baker picked up on the same point about growth targets and the potential difficulties in sustaining a certain level of growth. It is important to highlight the fact that the growth targets are those of the industry. They are based on 4 per cent per annum growth between the 2009 baseline and 2020. Because we are now using a 2011 baseline, it is now a 32 per cent growth that we need to achieve between now and 2020. I recognise that the 50 per cent figure is perhaps a bit out of date. Nevertheless, we are already progressing well from the baseline, and we are making good progress towards the 50 per cent target.

Stewart Stevenson and Graeme Dey raised a point about verification. Stewart Stevenson referred to Label Rouge, and there are other independent accreditors of the quality of farmed salmon and trout. There are industry pressures to improve the health of the salmon that is produced

in Scotland—it is not purely down to the SSPO or other organisations; there are outside voices that ensure that consumers of quality products take an active interest in the health of the fish.

The data that are published are sense checked by the Scottish Government and Marine Scotland, although our inspectors have accessed individual farm records—Alex Fergusson referred to that—under the regulatory regime. Food Certification International Ltd, which provides the product certification scheme for Label Rouge Scottish salmon, carries out visual inspections of fish for sea lice as part of its inspection checklist. I hope that that addresses some of the concerns that have been expressed about data.

Graeme Pearson, Alex Fergusson and other members raised the very important matter of cockle fishing. I welcome Graeme Pearson's contribution to the debate, which was based on his experience as a police officer. I am happy to report that we have been working with criminal justice partners, including the Crown Office and Procurator Fiscal Service, on proposals that we will introduce at stage 2 to deal with illegal cockling. That will build on suggestions made by Dumfries and Galloway Constabulary in its evidence.

Turning to the possibility of a legal cockle fishery, which was also raised by Alex Fergusson and Graeme Pearson, my officials are happy to meet any groups or individuals with proposals for a sustainable fishery on the Solway Firth, subject to an appropriate scientific assessment that the stock can be harvested sustainably. Measures to combat illegal cockle fishing, including a multiagency approach, are taking place, but I accept that they could be further improved. Discussions are taking place on that. Those measures, coupled with the possibility of a sustainable legal fishery, will help to prevent a further tragedy like the one at Morecambe Bay, to which a number of members referred.

Claudia Beamish, Angus MacDonald, Richard Lyle and Margaret McDougall all spoke about climate change—another very important subject. When proofing the bill, we will want to ensure that it takes climate change into account. Climate change is a key driver behind our taking powers to amend the annual close time orders, the requirement to monitor management measures and the examination of powers to consent introductions of salmon into rivers.

I add to that the work on the Dee and other rivers to which a number of individuals referred. River restoration funding is being deployed to improve tree cover along river habitats in order to improve the shade for salmon and reduce river temperatures. Sadly, we are getting to the point at

which many rivers are becoming particularly difficult places for salmon to survive in.

Claudia Beamish: I seek reassurance that, with its partners, the Scottish Government will look at the possibilities of rolling out that sort of model strategically. I think that the minister highlighted that in his report to the committee.

Paul Wheelhouse: That work is certainly very important. If we are to protect the iconic salmon in Scotland and its valuable role in tourism and developing the economies of some of our rural communities, it is important that we implement whatever measures are necessary to protect in particular the key rivers that sustain salmon activity.

Alex Fergusson, Jayne Baxter and Rob Gibson mentioned issues to do with sea lice data. That is probably the defining issue in the debate for the committee and for the many stakeholders who contributed to that discussion. It is important to differentiate public reporting from regulation and the need for data for compliance and research—those data requirements are handled separately. On public reporting, I recall a starting point of six regions—I think that Angus MacDonald referred to that. The Government is persuaded that the enhancement of 30 areas is proportionate as an incremental response by the fish farming industry, but I reassure members that the new voluntary arrangements that the SSPO is putting in place will be kept under review. We have powers under the Aquaculture and Fisheries (Scotland) Act 2007 to require the publication of data if we need to do that, but I would much rather seek a voluntary approach and avoid the Government being heavy-handed with legislation. It is important that we give the industry time to respond, but I promise members that I will keep the issue under constant review.

Jamie McGrigor: Bruce Crawford was perfectly right to say that there are very few fish farms on the east coast. I think that I said that there are virtually no fish farms there, but I am prepared to accept that I am probably wrong about that. There is also a smolt farm in Loch Shin, which eventually pours into east coast waters. I think that the SSPO's question was that, if it is being asked to expand, there is the whole coast of Scotland, so why should everything be put on the west coast?

Paul Wheelhouse: The applications are largely industry led, of course; it looks for appropriate locations to develop activities. I will certainly look at the east coast issue, but I think that industry demand drives existing activity and locations.

A number of other points have been raised. I take the point that Rob Gibson made about carcass tagging. That certainly has an important role to play. Some concerns that have been

expressed about it are perhaps manageable, and we can deal with them to ensure that the system is up and running.

Claudia Beamish mentioned sustainable development. I take the point entirely. We know less about aquaculture than, for example, the Scotch whisky sector, which has been more involved in providing information on its social and wider impacts on the economy. I agree with Claudia Beamish that science is critical to the debate. I hope that the ministerial group on aquaculture strand that looks at science, involving the Scottish aquaculture research forum, will play an important role in improving our knowledge.

I hope that Stewart Stevenson sought permission from George Adam to include a mention of the Paisley snail before he came to the chamber. I found that very entertaining.

I reassure Jayne Baxter that the 2007 act gives us the powers to require sea lice data if we need them.

Nigel Don commented on the role of the Subordinate Legislation Committee. I thank him for the role that the Subordinate Legislation Committee has played in preparing for the debate and for its scrutiny of the bill. That has been invaluable.

Jim Hume made a point about the salmon industry and the use of sterile fish to avoid the problem that is presented by escapes. The salmon industry has considered their use but, unfortunately, there are issues to do with their vigour and quality. We will watch developments on that front with interest.

Richard Lyle talked about the seal population and the requirement to shoot seals. Although we do not have definitive data on the number of seals that were, unfortunately, shot under the previous regime, the introduction of licensing, which requires demonstration that non-lethal methods have been used before a licence can be sought, has resulted in a dramatic reduction in the numbers that are shot.

I am near the end of my time, so I thank members for their contributions. I look forward to discussing with the committee the points that have been raised. I invite members to support me by agreeing to the principles of the Aquaculture and Fisheries (Scotland) Bill so that we can move on to detailed scrutiny at stage 2.

Crime and Courts Bill

17:00

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-05736, in the name of Kenny MacAskill, on the Crime and Courts Bill, which is United Kingdom legislation.

Motion moved,

That the Parliament agrees that the relevant provisions of the Crime and Courts Bill, introduced in the House of Lords on 10 May 2012, relating to amendments to the Proceeds of Crime Act 2002, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.—[*Kenny MacAskill.*]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

Meeting closed at 17:01.

17:00

The Presiding Officer (Tricia Marwick): There are two questions to be put as a result of today's business. The first question is, that motion S4M-05712, in the name of Paul Wheelhouse, on the Aquaculture and Fisheries (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Aquaculture and Fisheries (Scotland) Bill.

The Presiding Officer: The next question is, that motion S4M-05736, in the name of Kenny MacAskill, on the Crime and Courts Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Crime and Courts Bill, introduced in the House of Lords on 10 May 2012, relating to amendments to the Proceeds of Crime Act 2002, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on
the Scottish Parliament website at:

www.scottish.parliament.uk

For details of documents available to
order in hard copy format, please contact:
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@scottish.parliament.uk

e-format first available
ISBN 978-1-78307-322-1

Revised e-format available
ISBN 978-1-78307-470-9

Printed in Scotland by APS Group Scotland
