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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Wednesday 8 October 2014

Session 4

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Scottish Parliament

Wednesday 8 October 2014

[The Deputy Presiding Officer opened the meeting at 14:00]

Business Motion

The Deputy Presiding Officer (Elaine Smith): Good afternoon. The first item of business this afternoon is consideration of business motion S4M-11143, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which sets out a revision of today's business programme.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for Wednesday 8 October 2014—

(a) after

2.00 pm Portfolio Questions
Education and Lifelong Learning

insert

followed by Ministerial Statement: Future of
Scotland's Railways

(b) delete

5.00 pm Decision Time

and insert

5.30 pm Decision Time—[Joe FitzPatrick.]

Motion agreed to.

Portfolio Question Time

Education and Lifelong Learning

14:00

The Deputy Presiding Officer (Elaine Smith): The next item of business is portfolio question time. As ever, to enable as many members as possible to speak, I would prefer short, succinct questions and answers to match.

First Aid Cover (Primary Schools and Nurseries)

1. John Mason (Glasgow Shettleston) (SNP): To ask the Scottish Government what provision primary schools and nurseries make for first aid cover. (S4O-03571)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The provision of first aid in primary schools and nurseries is a matter for the education authority or nursery provider itself in accordance with the Health and Safety at Work etc Act 1974, the Occupiers' Liability (Scotland) Act 1960 and, where appropriate, the Schools (Safety and Supervision of Pupils) Scotland Regulations 1990.

John Mason: A constituent of mine has questioned Glasgow City Council about first aid in its schools, which seem to rely entirely on volunteers and often have no cover whatever. That concerns both my constituent and me. Is the minister willing to look into the issue and perhaps raise it with the Convention of Scottish Local Authorities?

Dr Allan: As I said, the 1990 regulations make certain specifications in the area and, in the first instance, any specific concerns that the member has should be raised with the local authority concerned. The Scottish Government is leading a review of the administration of issues such as medicines in schools.

Referendum (Evaluation of Help for Young Voters)

2. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what evaluation will be done of the work carried out by schools to help prepare 16 and 17-year-olds to vote in the referendum. (S4O-03572)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Education Scotland undertook an interim evaluation of a sample of primary and secondary schools between January and June 2014 to evaluate the approaches that were being adopted to promote political literacy and to prepare young

people to vote in the referendum. The evaluation involved discussions with school staff, with partners including the Electoral Commission and with pupils themselves, and it found that, in best practice, schools demonstrated clear vision and strong leadership for the development of young people's political literacy. Education Scotland is committed to sharing that good practice more widely.

Joan McAlpine: I am sure that, like me, the minister welcomes the cross-party support that exists for 16 and 17-year-olds voting in future elections. Does he agree that, during the referendum campaign, different schools tended to take different approaches and that, if 16 and 17-year-olds are to get the vote on a more permanent basis in the future, a more consistent approach to how young people engage in the political process should be taken across all schools?

Dr Allan: As both I and the member have mentioned, schools have an array of different strategies to support the development of responsible citizenship, and one of the tenets of curriculum for excellence is to encourage that diversity of approach. However, many schools have also established successful engagement with partners, including the Scottish Parliament education service and electoral registration officers, who have ensured that, this time around, young people have taken up the right that I think we all want them to take up in all future elections.

Information and Communication Technology in Education Excellence Group

3. Aileen McLeod (South Scotland) (SNP): To ask the Scottish Government what progress it is making in implementing the recommendations of the ICT in education excellence group. (S4O-03573)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): A range of activity to take forward the recommendations has been undertaken. Investment in glow has continued and, last weekend, glow was fully transitioned to a new, flexible, cloud-based arrangement. Nationally procured core services including collaboration tools, email, blogs, wikis and storage have been implemented and users can now personalise their own glow services through a library of educational applications.

Support and training are available to help teachers to make informed decisions on how best to use glow, and options for the future evolution of glow are being considered.

Aileen McLeod: Some local authorities, including Dumfries and Galloway Council, are now considering how pupils' use of their own

information technology devices in school might have a positive impact on teaching and learning. What advice and support is the Scottish Government offering to councils that are considering introducing that policy?

Dr Allan: We are at the stage at which it could be said that glow is almost device agnostic—it is encouraging of new approaches—and we are supportive of that attitude. Through our technical and operational advisory group, which is comprised of ICT managers, information security officers and others, we will continue to promote that diversity of approach.

Relationship, Sexual Health and Parenting Education (Guidance)

4. Marco Biagi (Edinburgh Central) (SNP): To ask the Scottish Government when it will publish updated guidance for the delivery of relationship, sexual health and parenting education. (S4O-03574)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Relationship, sexual health and parenthood education is an integral part of the health and wellbeing organiser of the curriculum. We will publish finalised guidance on that later this year. We recognise the importance of the guidance and want to ensure that we strike the right balance.

Marco Biagi: The Scottish Youth Parliament has conducted research about the extent of RSHPE in schools, and "Lessons for Scotland from the Jay Report into Child Sexual Exploitation in Rotherham: A Barnardo's Scotland discussion paper" has shown its importance for child protection. What action is the Scottish Government taking to ensure that we have top-quality RSHPE in all schools?

Dr Allan: Marco Biagi rightly highlights the importance of the issue. The contribution of the Scottish Youth Parliament and others has been important in highlighting a range of issues including, for instance, the importance that the SYP attaches to teaching young people about consent.

We all agree about the importance of ensuring that quality sex and relationship education is in place and we work together with many stakeholders to ensure that that happens.

College Mergers (Effect on Staff)

5. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Government how many further education college staff have had pay reductions or an increase in working hours following the recent merger process. (S4O-03575)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The Scottish Government does not hold such information centrally. It is for individual colleges as employers to determine appropriate pay, terms and conditions for their staff.

Ken Macintosh: I am sure that the minister appreciates the difficulty in trying to harmonise terms and conditions throughout Scotland, particularly when lecturers might have enjoyed different salary levels, levels of contact time or study leave. Will he assure me that lecturers in, for example, the newly merged Ayrshire College who might previously have enjoyed more favourable terms and conditions will not be forced by underhand tactics—such as being forced to apply for jobs at lower grades—to accept lower terms and conditions of employment?

Michael Russell: I am glad that Ken Macintosh is converted to the concept of national terms and conditions. He and his colleagues voted against it in the Post-16 Education (Scotland) Act 2013, but I am glad that he welcomes it now.

I am keen that harmonisation takes place through negotiation between the trade unions and employers but, as the trade unions will no doubt confirm, that negotiation will have to ensure that no individual suffers in the process and that, over a period, all individuals are satisfied that their interests are being met. That is the aim of the harmonisation process within colleges and nationally, and I am keen that it produces the best results for all staff individually and collectively.

Clare Adamson (Central Scotland) (SNP): The cabinet secretary mentioned the Post-16 Education (Scotland) Act 2013. One of the key strengths of that act was the reintroduction of collective bargaining in the college sector, a move which the Labour members of the Parliament voted against. Will he confirm that the colleges will take that forward in the future?

Michael Russell: Absolutely. I am glad that all members—I hope it is all members—now support national pay bargaining, because it is an important element of the reforms that took place.

Colleges Scotland is providing support for a series of committees that will determine the new national salary and terms and conditions of service for the sector. The first meeting of the national joint negotiating committee for college staff took place in June 2014. The process will be difficult and complex, because there were many, many terms and conditions. Indeed, I have made that point often in this chamber—at one stage, there were 43 sets of terms and conditions and only 41 colleges. It will take work, but the unions are engaged in the process; management is engaged

in the process; and it is backed by the Government.

Post-study Work Visa (Reintroduction)

6. Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): To ask the Scottish Government what discussions it has had with the United Kingdom Government about reintroducing the post-study work visa. (S4O-03576)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The Scottish Government was opposed to the abolition of the post-study work visa and we want the ability to reintroduce the visa in Scotland. Last week, we submitted evidence to the UK all-party parliamentary group on migration inquiry into the closure of the post-study work route. The evidence made clear the negative impact that the closure of the route has had on international student numbers, on businesses and on universities and colleges.

Adam Ingram: I thank the cabinet secretary for his answer. Can he confirm that he will work with Universities Scotland and others who wish to see a reintroduction of the post-study work route to ensure that the Smith commission will consider devolving immigration?

Michael Russell: Indeed. Of course, the clearest and most obvious way to have immigration controlled by the Scottish Parliament would be to support independence. However, given the present constitutional set-up, it is more than possible to see how migration and immigration issues could be devolved. Indeed, if Gordon Brown is honest to his intention of introducing a federal structure, there are federal structures that work in that way. For example, in Quebec, there is shared sovereignty over the issues of migration. Of course, in those circumstances, I would want control of the issue to be vested in this Parliament so that we can advantage Scotland and advantage those who want to come and study and work here.

College Sector (Severance Packages)

7. Mary Fee (West Scotland) (Lab): To ask the Scottish Government how much it has spent on severance packages in the college sector since 2011. (S4O-03577)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The information is not held centrally, but I have asked the chief executive of the Scottish Further and Higher Education Funding Council to write to the member.

Mary Fee: As the cabinet secretary knows, almost £500,000 in severance payments was shared between the principal and the vice-

principal of the former North Glasgow College, and Audit Scotland has raised serious questions over the process that led to those packages being agreed. Can the cabinet secretary tell me who was involved in the agreement of those packages and what knowledge he had of them at the time?

Michael Russell: Of course, the Government has no knowledge of arrangements that are made between employers and employees, but I am very happy to say to the member that I thoroughly disapprove of circumstances in which individuals are seen to be in receipt of payments whose amount is questioned by other people. I have said that about university salaries, I have said that about other salaries, and I say that about severance payments. A sense of responsibility needs to be observed in such matters, so I am quite happy to work with the member and others to ensure that, if questions are raised—as there have been over that case and others—those questions are fully investigated and any responsibility is understood.

Autistic Spectrum Disorder (Awareness and Understanding in Schools)

8. Mark McDonald (Aberdeen Donside) (SNP): To ask the Scottish Government what steps it is taking to increase awareness and understanding of autistic spectrum disorder in schools. (S4O-03578)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Education authorities have duties to identify, make provision for and review the additional support needs of their pupils, including pupils with autism spectrum disorder. To improve awareness and understanding of autism in schools, I launched the autism toolbox website in April, at Grangemouth high school. Delegates included teachers, educational support staff and pupils. The toolbox website encourages best practice in schools. It also provides a forum for updating and disseminating good practice.

Mark McDonald: I am grateful to the Scottish Government for launching the autism toolbox. Can the minister update the chamber on how that is being promoted within education authorities and in individual schools and how it will be monitored and reviewed? Can he also consider how issues around autistic spectrum disorder and other additional support needs are captured in teacher training to ensure that newly qualified teachers have a good grounding in and understanding of those conditions?

Dr Allan: The member has a commendable record on raising these issues. Scottish Autism has contacted all education authorities with the offer of awareness sessions about the toolbox. The sessions have already reached more than

1,500 delegates. To enable the Scottish Government to monitor the promotion of the toolbox, Scottish Autism provides us with regular updates about the take-up of awareness sessions and about the usage of the toolbox.

Gaelic-medium Education (Number of Pupils)

9. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government what the trends are in the number of children in Gaelic-medium education. (S4O-03579)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The overall trend in the number of children in Gaelic-medium education shows an increase, as can be seen in the number of pupils entering primary 1 Gaelic-medium education classes, which has increased from 406 in 2011-12 to 428 in 2012-13, 486 in 2013-14 and 536 in 2014-15.

Willie Coffey: The minister will no doubt be aware of the £36 million investment that is planned for a new school for Kilmarnock, £1 million of which will support a magnificent Gaelic two-to-18 campus. With a project of that scale being delivered, does the minister see further opportunities to develop Gaelic and perhaps to reach out to parents in the wider community to encourage them to take an interest in Scotland's language?

Dr Allan: The Scottish Government is always happy, as Willie Coffey says, to reach out to the community of parents who, whether they are with or without Gaelic, have an interest in ensuring that their children have a bilingual education. The support that is on offer from the Scottish Government has been made use of enthusiastically in East Ayrshire.

Postgraduate Masters Degrees (Student Funding)

10. Roderick Campbell (North East Fife) (SNP): To ask the Scottish Government what its position is on funding for people studying for postgraduate masters degrees. (S4O-03580)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): In the academic year 2013-14, the Scottish Further and Higher Education Funding Council introduced 850 fully funded postgraduate diploma and masters places up to 2016-17. Encouraging more Scottish students to participate in postgraduate study is a priority for the Government. Increased participation in postgraduate study can help to improve employment prospects for graduates and the competitiveness of the Scottish economy. We have been examining our overall support package for taught postgraduate students, and I intend to

make an announcement about that in the near future.

Roderick Campbell: I am aware that, last year, the cabinet secretary announced that Scottish postgraduate students who study eligible courses will be able to get an additional loan of up to £4,500 from 2015-16. Has consideration been given to extending the number of courses that are eligible for the incoming loan facility?

Michael Russell: I am glad that Roderick Campbell has drawn attention to the additional loan for living costs that will be available from 2015-16. I acknowledge his long-standing interest in the matter, in particular in the funding of the postgraduate legal diploma.

We are examining our overall support package for taught postgraduate students, as I have said, including the eligible course list, which is a complex matter given the range of subjects. As I promised Roderick Campbell, I will make an announcement about that in the near future.

Mary Scanlon (Highlands and Islands) (Con): I am pleased to hear that postgraduate funding is a priority for the Government. Taught postgraduate degree fees for humanities at the University of Edinburgh increased by 42 per cent last year from £7,000 to £10,000, with a significant reduction in the number of Scottish students doing postgraduate study. One course at Edinburgh has had no Scottish students for four years. What is being done to help Scottish students and students from poorer backgrounds to access those postgrad courses?

Michael Russell: I am glad that Mary Scanlon is concerned about that. It is important that we support students in every way that we can. One of the main disincentives for study, both at undergraduate and at postgraduate level, is the level of debt that will be incurred. In Scotland, we have the lowest level of undergraduate debt, and I intend to keep it that way. We now want to ensure that postgraduate students, given the debt that they incur, are similarly helped. The announcements that I have made to date have been directed towards that aim.

More can be done. We are operating in a hostile financial environment, and in an environment in which there is considerable pressure south of the border to increase student borrowings. If Mary Scanlon will lend her support to the Government in its aim to keep Scottish education free, that will assist Scottish recruitment to postgraduate study over time. I will be glad to have that support from Tory members.

National Qualifications (Grades)

11. Michael McMahon (Uddingston and Bellshill) (Lab): To ask the Scottish Government

whether it considers that grades awarded in the new national qualifications are considered to be equal across all subjects. (S4O-03581)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The Scottish Qualifications Authority is responsible for ensuring that standards and grades remain consistent across all subjects from year to year, and it has robust processes in place to ensure that. The SQA is confident that those standards have been applied to the new qualifications certificated in 2014.

Michael McMahon: Is the minister aware of the article in *The Times Educational Supplement Scotland* on 12 September with the headline "Teachers reach boiling point over physics marking", in which education experts are reported as expressing concerns that the new national exams are making science subjects too difficult and that teachers in physics in particular are concerned that their subject will suffer because good marks have been so hard to come by this year? Does he recognise those concerns and how would he respond to the experts and teachers who believe that science subjects in general, and physics in particular, will suffer a long-term decline in relation to other subjects because obtaining good marks will be comparatively more difficult?

Dr Allan: The member will of course be aware that the issue of marking is for the Scottish Qualifications Authority. However, I can say that the SQA, which has 15,000 experts across different subjects, goes to great effort to ensure that no cohort of people sitting an exam is in any way disadvantaged or advantaged and to ensure that, from year to year, the grade boundaries take cognisance of any variations that are perceived in the exams. In the year that has gone past, a record number of people got highers. In fact, I think that I may be right in saying that record numbers have gone forward for highers in science subjects, at a time when the pass rate has not gone up. That shows that in Scotland we are not only maintaining high standards of which we should be proud but increasing access.

Neil Bibby (West Scotland) (Lab): On the implementation of the new national qualifications, we have teachers who have never been so angry and parents and pupils have been worried and stressed. Yesterday, the Cabinet Secretary for Education and Lifelong Learning told the Education and Culture Committee that he has made mistakes. When people make mistakes, the normal thing to do is to apologise for them. Will the minister do what Mike Russell did not do yesterday and apologise to teachers, parents and pupils in Scotland for his Government's mismanagement of the curriculum for excellence,

or is he, too, happy to hide behind everybody else?

Dr Allan: If that was a question rather than just a series of complaints about humanity, I would like to say that I think that we should, as a country and an education system, be very proud of the efforts that teachers and young people have gone to and of their achievements. We certainly should not say anything that suggests that this year's qualifications are somehow to be disparaged. There is every reason to be proud of this year's achievements. Of course we want to learn from the way in which we implement things and do things even better in the future, but we should be proud that, this year, the number of highers is up, as I just mentioned. There is every indication that young people are achieving and achieving well.

The Deputy Presiding Officer: Question 12, from Jenny Marra, has not been lodged. An explanation was provided.

Children and Young People's Summit

13. Graeme Dey (Angus South) (SNP): To ask the Scottish Government how plans for the children and young people's summit are progressing. (S4O-03583)

The Minister for Children and Young People (Aileen Campbell): The children and young people's summit will bring together children, young people, those who support them and wider civic society. It will provide an opportunity to harness the renewed interest in the positive, energising and consented improvement that we have seen over the past two years. That was personified in the two young women whom I met yesterday at a visit to indi youth in Castlemilk, who are bright, articulate and interested in contributing to decision making.

The gathering will be the beginning of a process that will involve conversations with children and young people taking place around the country. Those conversations will inform future policy and will drive improvement in services for children and young people. The Scottish Government will convene the summit, with the participants determining the most effective way to involve interested citizens at grass-roots level in improving services for children and young people.

Graeme Dey: Will the minister confirm that young people from every local authority area will be invited to attend the summit, thereby ensuring that the widest possible range of opinions from all parts of the country, taking in urban and rural in all its forms, can be canvassed?

Aileen Campbell: Yes. I am happy to confirm that a wide range of children and young people from right across Scotland will be invited to engage in the conversation. We want to hear from

children and young people from right across Scotland and we have asked Scottish Government officials to plan on that basis.

At the recent public meeting of the Cabinet that I attended in Arbroath—the member was there, too—I had the pleasure of meeting many engaged children and young people from Angus. We want to ensure that that breadth of talent is involved and that those voices are heard and listened to. We need to capture the momentum that the referendum process has created among our young people and harness it for the betterment of our country.

Colleges (Number of Female Students)

14. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Government what the head count, enrolment and full-time equivalent figures are for female students at colleges in 2014 compared with 2011. (S4O-03584)

Michael Russell (Argyll and Bute) (SNP): In keeping with normal practice, college sector figures for 2013-14 will not be available until January 2015. The latest figures, however, show that in 2012-13, 53 per cent of college students were female, the same percentage as in 2011-12.

Claire Baker: The trend that we have seen over recent years is that, while the full-time equivalent figure has gone up, the head count number has been going down, indicating that fewer women are studying in our colleges.

When I had a round-table discussion with single parents from Levenmouth, they said that the biggest barrier to women going into college was the affordability and availability of childcare. There is an on-going review of the childcare workforce, but what analysis has the Government done of capacity in the childcare sector, which could specifically address the needs of parents who are seeking to go back to college?

Michael Russell: The biggest difference that could come in transformational childcare was laid out in the Government's white paper, "Scotland's Future". Claire Baker chose to campaign against the white paper, and therefore she should be aware of the consequences of her action and the actions of her colleagues.

Claire Baker: That is outrageous.

The Deputy Presiding Officer: Order, please.

Michael Russell: Actions always have consequences, and Claire Baker should recognise that.

We want to continue to do many things to assist women in Fife and elsewhere. Let me give the member two examples. First, we will continue the process that my colleague Angela Constance has

taken forward—Levenmouth will be a pilot area for the Wood commission—so that we can ensure that lots of opportunities are created to assist young women in the circumstances that Claire Baker mentioned.

Secondly, we will present the situation as it should be presented, by showing that the full-time equivalent figure is based on real qualifications that are being provided in colleges. Those real qualifications lead to employability. The number of students achieving higher national certificate and higher national diploma qualifications, which are recognised and valued by employers, has gone up 36 per cent since 2007-08. Those are real qualifications with which we will help.

There are many other things that we are trying to do, but it becomes more difficult if this Parliament does not have full, normal powers, and Claire Baker cannot escape the consequences of her own actions.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Will the cabinet secretary confirm that the number of people studying for HNCs and other recognised qualifications has increased, which boosts the chances of our young people getting work?

Mary Scanlon (Highlands and Islands) (Con): He has just said that.

Michael Russell: I am happy so to confirm. The number of students achieving those qualifications has risen by 36 per cent since 2007-08.

Mary Scanlon: That is the same figure as before—36 per cent.

Michael Russell: The number of people getting degrees is up 121 per cent over the same period. Mary Scanlon did not have that figure, but I am happy to give it to her.

It is the policies pursued by this Government that have improved the quality of opportunities for young people and the skills supply to our economy. The United Kingdom Commission for Employment and Skills says that 78 per cent of Scottish employers that recruited a college leaver found them well prepared for work—the figure is higher than the closest comparable figures in other UK nations. That is a result of the reforms that this Government has taken forward, in the teeth of opposition from the Labour Party and others.

Further Education and Lifelong Learning (People in Remote Areas)

15. Claudia Beamish (South Scotland) (Lab): To ask the Scottish Government how it supports people in remote areas into further education and lifelong learning. (S4O-03585)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The matter is of great concern and interest to me as a constituency member, and as the cabinet secretary.

The Scottish Further and Higher Education Funding Council pays college regions that deliver in rural areas a premium totalling around £8 million. Our reforms have meant that colleges are increasingly funded on the basis of need. That has led to several colleges that operate in a rural context—such as Dumfries and Galloway College and Borders College in the member's region—receiving additional activity. Record levels of student support mean that students of all ages are receiving better financial support than ever before to access college right across the board, in both rural and urban settings.

Claudia Beamish: As the cabinet secretary will be aware, living in more remote rural areas can pose a challenge for those seeking further education at colleges such as Borders College, which he mentioned, and New College Lanarkshire. Scottish Government statistics for 2012-13 show that the number of school leavers attending further education in those areas is roughly 6 per cent less than the national average.

Can the cabinet secretary set out in more detail what the Scottish Government is doing to support the development of outreach courses and specifically to provide transport support for links to colleges in those areas?

Michael Russell: There are two areas in which I think that Claudia Beamish will be interested. One is the flexibility of transport support that colleges are able to provide. An example that is not in her region is the work that has been done by Dundee and Angus College, which has drawn in students by laying on transport. A similar approach has been taken by Borders College. That is very useful indeed.

In Claudia Beamish's members' business debate in September on the value of skills partnerships, Angela Constance gave a commitment to write to her about wider open learning opportunities—not just massive open online courses, which are of interest, but skills-based open learning, which is even more important, in my view. Those things are taking place.

Also of relevance is the joint development by Heriot-Watt University and Borders College of the Scottish Borders campus, which is creating new opportunities and drawing people to them. Further, I am strongly committed to the development of the Crichton campus as a centre for the whole of Dumfries and Galloway. That requires there being not only better transport links but, possibly, better

student facilities on the campus for college and university students.

Much work is being done—and I have not even started to talk about the work that is being done in the Highlands and Islands, which is of importance, given that 13 colleges work together in that area to provide wide opportunities.

Education System (Alignment with Job and Career Opportunities)

16. Mike MacKenzie (Highlands and Islands) (SNP): To ask the Scottish Government how the education system can be more closely aligned toward job and career opportunities. (S4O-03586)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The commission for developing Scotland's young workforce published its report, "Education Working for All!", in June. That report sets out an ambitious agenda for improving young people's employability—of which the Scottish Government is fully supportive and to which I have referred in response to other questions today—including forging stronger links between schools, colleges and employers.

Later in the year, the Cabinet Secretary for Training, Youth and Women's Employment will publish our implementation plan to take forward the report's recommendations, benefiting learners and the wider economy alike.

Mike MacKenzie: Does the cabinet secretary agree that there is scope to fulfil suggestions made in the Wood report with regard to the secondary 1 to 4 junior secondary model for education that some rural authorities use, and does he agree that that is not incompatible with curriculum for excellence?

Michael Russell: I am happy to confirm to the member—as I have done before; I believe in writing to other members—that there is no incompatibility between curriculum for excellence and delivery models such as junior secondaries or small schools. That incompatibility does not exist; any contention that it does is wholly false.

The opportunity to have more diverse and richer models of delivery exists throughout Scotland. I encourage all authorities, including rural authorities, to consider that diversity and ensure that the flexible framework for curriculum for excellence is used to support a range of possibilities. If authorities do that, young people in rural and urban settings will benefit.

Increasing School Rolls (Support for Local Authorities)

17. Sarah Boyack (Lothian) (Lab): To ask the Scottish Government what support it is providing

to local authorities to ensure that there is suitable accommodation to deal with the projected increase in school rolls. (S4O-03587)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): The statutory responsibility for the provision of adequate and sufficient school accommodation in Scotland lies with the local authorities. That said, the Scottish Government is investing £800 million in Scotland's school estate through the £1.25 billion Scotland's schools for the future school building programme. I was pleased and honoured to be involved in the new Mearns academy in Laurencekirk on Friday, which is a good example of how that programme is working.

Sarah Boyack: The City of Edinburgh Council is considering introducing cluster-based learning, although its strong preference is to build new accommodation. The cabinet secretary will be aware of the pressure on council budgets. Given the demographic pressure on Edinburgh and the council's review of its school estate, can the cabinet secretary update Parliament on what discussions he has had with the City of Edinburgh Council and what particular support his Government is providing to help to ensure the right capacity and the right quality in our school provision?

Michael Russell: The decision on how local authorities organise and establish their provision is up to those local authorities. I am sure that the member would defend the right of local authorities to make those decisions.

That said, my officials regularly meet representatives of the City of Edinburgh Council, and I have met the councillors, too. I remain open to discussion of the school estate throughout Scotland. Obviously, in the week of the budget, I do not want to say any more than that, but there is a constant examination of the need to ensure that the highest quality accommodation is provided and that we do our best to help areas that are under pressure.

Aberdeen City Council (Education)

18. Kevin Stewart (Aberdeen Central) (SNP): To ask the Scottish Government when it last discussed education issues with Aberdeen City Council. (S4O-03588)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): Scottish Government officials regularly meet representatives of Aberdeen City Council to discuss a wide range of education issues.

Kevin Stewart: Labour-led Aberdeen City Council is failing to improve conditions in Victorian schools in the city, which is leading to difficulties for pupils, teachers and other staff. In fact, the

council has just withdrawn funding that it had previously committed. What can the cabinet secretary do to ensure that Aberdeen City Council invests in schools such as Ferryhill, Broomhill, Ashley Road and Skene Square, in my constituency, to ensure that they are fit for the 21st century?

Michael Russell: Aberdeen City Council is currently receiving revenue funding of more than £325 million. It is the responsibility of Aberdeen City Council to allocate its total financial resources to all services, including school maintenance, on the basis of local needs and priorities. Aberdeen has been allocated an extra £7 million over the period 2012 to 2015 as a result of the new 85 per cent funding floor formula that the Government introduced, which ensures that Aberdeen gets a better deal than ever before. The city will get a further £11.2 million in 2015-16.

The Scottish Government is also investing £800 million in Scotland's school estate, through the £1.25 billion Scotland's schools for the future programme. Aberdeen City Council already receives more than £28 million from the Scottish Government through that programme to build replacements for the existing Bucksburn and Newhills primary schools and for Torry and Kincorth academies. There will be even further investment in school infrastructure through the extension to the non-profit-distributing—NPD—programme, further details of which will be announced by ministers at the end of the week.

We remain committed to developing and building the school estate. That is the prime responsibility of local authorities, which deliver education, but the Scottish Government is a willing partner in ensuring, where we are able to do so, that that takes place.

Independent Schools (Charitable Status)

19. Jackson Carlaw (West Scotland) (Con): I am somewhat surprised to be able to ask this question.

To ask the Scottish Government what its position is on independent schools having charitable status. (S4O-03589)

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): Independent schools, like all charities, have to meet the requirements of the Office of the Scottish Charity Regulator, including the public benefit test. Broadly speaking, as long as that test commands public confidence, qualifying independent schools will maintain charitable status. Whether individual schools meet the test is, of course, a matter for OSCR.

Jackson Carlaw: I commend the cabinet secretary and his ministerial team on the efficiency

of their responses to questions this afternoon. In that spirit, I ask them what their attitude might be to the extension of charitable status to cover all schools in Scotland.

Michael Russell: That is an interesting possibility. I think that it was first mooted by Brian Monteith when he was a member of the Parliament's Education, Culture and Sport Committee in a previous session. That proves not only that the education team has efficient responses, but that we have long memories. The idea was rejected at the time, but we should at least get some information on the matter in the future. If Mr Carlaw wishes to provide some information to us on the virtues of the proposal, I will of course look at it.

Kezia Dugdale (Lothian) (Lab): Does the cabinet secretary think that the test is stringent enough?

Michael Russell: That is a matter for the Parliament to decide, as far as the legislation is concerned. OSCR has an obligation to meet the requirements of the present legislation. Whether that legislation should change and whether the test still commands public confidence are matters that the Parliament may wish to discuss at an appropriate time. At present, however, I am certainly not going to criticise OSCR, which is putting in place the test as it exists.

Future of Scotland's Railways

The Presiding Officer (Tricia Marwick): The next item of business is a statement by Keith Brown on the future of Scotland's railways. The minister will take questions at the end of his statement. There should therefore be no interventions or interruptions.

14:39

The Minister for Transport and Veterans (Keith Brown): I am grateful to the Parliament for the opportunity to make a statement on the future of the ScotRail franchise.

This morning, I advised the Parliament that the procurement process for the ScotRail franchise had been completed on time and to plan. The Scottish Government believes that good public transport improves the lives of the people and the economy of Scotland. Following extensive consultation, Scotland's railway has attracted a world-leading contract to deliver for rail staff and passengers.

The competition has been evaluated rigorously on the basis of the most advantageous balance of quality and price for passengers, staff and taxpayers, and the Scottish Government intends to award the contract to Abellio ScotRail Ltd.

The new franchise contract confirms the Scottish Government's commitment to transform Scotland's rail service. The new Abellio Group United Kingdom headquarters will add 50 new jobs to the 150 Abellio ScotRail HQ jobs secured in Glasgow. The franchise will commence on 1 April 2015 and will deliver investment in the service—investment for the benefit of passengers, staff and the taxpayer—for the next 10 years. The improvements that the contract secures will be felt right across the network for the benefit of all of Scotland.

Before I go into detail, I wish to remind members of the context of railway franchising. As members will recall from my statement earlier this year on the award of the Caledonian sleeper franchise, franchising is a requirement under the Railways Act 1993, and it precludes any UK public sector organisation bidding to operate a railway service. As I have stated publicly on many occasions, that is an unfair restriction that ought to be changed so that private and public sector bidders can compete equally. I have written to three Secretaries of State for Transport to request a change in law and each request has been refused.

Over 13 years, the Labour Administration chose not to widen access to rail franchising to UK public sector organisations, despite having ample opportunity to do so—the Transport Act 2000 and

the Railways Act 2005 are silent on the issue. In fact, the Labour Administration supported franchising and its restrictions. In 2009, the then Secretary of State for Transport, Lord Adonis, reassured the House of Commons Transport Committee that

"The evidence so far is that the franchising system has continued to prove its worth."

I am left to deduce from its legislative silence and its vocal support for franchising that the Labour Administration was clearly happy to leave us operating these patently unfair procedures.

This week, we have started laying the tracks of the Borders railway, but the tracks of the franchising process were laid by Tory and Labour Governments at Westminster.

Earlier this week, I was asked to cancel the franchising process. Doing so might have left us liable for bid costs in excess of £30 million from our five bidders. Members should remember that it cost the Department for Transport more than £50 million for the failure of the west coast franchise, about which Ed Miliband said:

"It is a disgrace that it is going to cost £40m and perhaps more of taxpayers' money because they have bungled this franchise."

Nobody in the chamber can guarantee what new powers we will get and on what date, but we know that a delay in the process would be for a number of years. It would be costly and a bad deal for the travelling public, and I am not willing to put at risk the expectations of our passengers or the interests of the taxpayer by playing fast and loose with rail franchising.

Despite having to adhere to unfair franchising rules, we have always stated that we would do so competently. Accordingly, we set out a prudent programme for our franchise procurements, with a process managed by an expert team within Transport Scotland. We delivered the Caledonian sleeper franchise on schedule and, today, applying the same competent, prudent approach that has become the hallmark of this Government, we have delivered yet another successful outcome.

Following a pre-qualification process, we attracted five high-quality bids. The bidders, each of which has international interests, demonstrate the global appeal of Scotland. Their participation demonstrates the confidence that they have in Scotland as a place to conduct business. As members know, ministers play no part in the evaluation of bids or in the selection of the winning bidder—those matters are governed by the process that is administered by Transport Scotland officials—but I am advised that each of the bids was of high quality and, after a rigorous evaluation exercise, Abellio came out on top.

At this point, I would like to thank Arriva, FirstGroup, MTR and National Express for their participation and confidence in the Scottish Government's vision for ScotRail. I also thank those many stakeholders who informed each of the bids. Particular thanks go to FirstGroup and its hard-working staff for their management of the service since 2004. Since that time, patronage has grown by a third, more than 200 additional daily train services have been provided, performance has improved from 87 per cent to nearly 92 per cent, and passenger satisfaction has risen to 90 per cent. Taken together, those are commendable achievements.

Our franchise specification puts passengers' interests at the heart of the ScotRail service. It includes ambitious service standards and an emphasis on quality and effective operation. The new franchise will transform the passenger experience through improved provision of information, enhanced websites, a price promise to provide the best-value ticket and a Scotland-wide extension of smart and integrated ticketing, which will make travel simpler and smarter.

In addition to its price promise, the new franchisee will implement our commitment to bear down on fares to make rail a much more attractive travel choice. As of January next year, peak fares will be capped at the retail prices index and off-peak fares will not be able to increase at a rate greater than RPI minus 1 per cent. Jobseekers and the newly employed will also benefit from reduced fare schemes. In short, there will be fairer affordable fares for all.

A mobile ticketing application will enable passengers to buy tickets, search for travel information, book cycle hire and taxis from selected stations and obtain details on less busy services. Enabling choice and making journeys easy are key to getting our country on the move. Across the network, there will be more car parking spaces, more electric-car charging bays, more cycle spaces and at selected stations even a bike-and-go cycle hire scheme to enable end-to-end journeys.

Our station environments will be updated with more platform shelters, more refreshment kiosks and major enhancements at Aberdeen, Perth, Stirling, Motherwell and Inverness. All of that will build on the substantial investment that has already been made in Waverley and Haymarket and the improvements that are planned for Glasgow Queen Street and Dundee.

We all recognise the need for greater transport integration to join up journeys. At selected stations, cross-modal information screens will display arrivals and departures of other modes such as bus, ferry and air, and a key aspect of all

that will be forging links with other providers to unlock journey opportunities across Scotland.

The franchise will deliver improvements on our trains to increase the attraction of rail travel. With high-speed trains, better journey times and more comfort, our seven cities will be linked by proper intercity rolling stock more in keeping with the intercity experience that we know passengers prefer. New electric trains will be delivered for the Edinburgh to Glasgow and the Stirling, Alloa and Dunblane services, and overall there will be a 23 per cent increase in carriages across the network to ensure that full advantage is taken of this Government's substantial investment in infrastructure.

We asked for proposals to capitalise on the tourism potential of our railways, and the new franchisee came forward with the great scenic railway of Scotland proposition, which will cover the west Highland and Kyle lines, the far north line, the lines serving Stranraer and Dumfries and—from September 2015—the Borders. It will enable our railway to market Scotland's scenery, its heritage and its tourist attractions to a wider audience. Trains on those routes will be refurbished, and there will be dedicated tourism ambassadors who will be trained to VisitScotland standards and will provide information on attractions, history and journey connections. I hope that community rail groups and local businesses will engage with the franchisee to grasp the very real opportunities arising from this marvellous, expansive initiative.

I have been careful to ensure that the interests of ScotRail staff are addressed in the new franchise contract. Accordingly, we have worked with the rail unions to ensure that staffing issues are appropriately covered, and I am grateful for the unions' assistance in that respect. Of course, the Transfer of Undertakings (Protection of Employment) Regulations 2006 will apply. Moreover, pensions will be protected. We might be obliged by Westminster to franchise, but that does not mean that we should not get the best deal for staff anywhere, which is what I believe we have.

The contract contains commitments on 100 apprenticeships, training and staff development and, for the first time, trade union representation on the board of the company. The contract also sets out the franchisee's extensive corporate social obligations to the community it serves. That is important, because a railway does more than provide a journey opportunity—it spreads and generates economic vitality and prosperity across communities.

That is why this contract is a good one. It does more than simply provide rail services; it seeks to help get Scotland on the move, economically and socially. We have struck a deal with the franchisee

to ensure that there are no compulsory redundancies over the entire life of the contract. Over and above that, we have struck a deal to ensure that every person, whether they be directly employed or employed through a subcontractor, will have at least the living wage as a salary.

We are committed to delivering a safe, well-founded, properly resourced service as well as an audit process that ensures that the franchise process that we have just gone through stands up to scrutiny. It has been our intention to ensure that we get the best possible deal for fare payers and passengers, and I believe that we have done so, despite being obliged to go down the franchise route. This contract offers a better Scotland by providing improved services to rail passengers, whether they be residents or visitors, providing security for our railway staff and enabling economic opportunities for all in our cities, towns and rural communities.

The Presiding Officer: Members who wish to ask the minister questions should press their request-to-speak buttons now.

Mark Griffin (Central Scotland) (Lab): I thank the minister for notice of his statement, but I regret that announcements continue to be made in advance outside Parliament. I also put on record our appreciation of the work that staff have done on the franchise over the past 10 years.

In awarding the ScotRail franchise to Abellio, the minister has decided that profits from Scotland's rail services should be used to invest in lower fares and better services in the Netherlands, rather than in Scotland. We now have a minister who claims to support a Scottish public sector railway but who continues with a franchise tender process that excluded that very option. Why does he say one thing in his deputy leadership bid but do something else in his position as minister?

Keith Brown should have welcomed calls by transport unions and Scottish Labour to suspend the franchise process so that further devolution could allow public bids to operate Scotland's railways. Instead, he carried on regardless.

The Deputy First Minister recently wrote to the UK Government to ask that the roll-out of the universal credit be postponed in order to allow the talks on additional powers to be held in good faith. Why does the Government say one thing when it is making demands and the opposite when it is in a position to act?

The minister has shown that the Scottish Government's record is one of hollow words and broken promises. In public, the Government talks about more powers, but when it has the opportunity to act, it abdicates responsibility. Why did the minister not show the leadership that the people of Scotland expect and allow the possibility

that a Scottish public sector rail operator could bid for the franchise?

Keith Brown: The statement that we have just heard shows why the Labour Party, far from being taken seriously as a potential Government, is not even taken seriously as a potential Opposition any more.

I struggle to understand exactly what the Labour Party's position is. George Foulkes says explicitly that we have the powers to nationalise the railways in Scotland, which is patently false. For 13 years, the Labour Party had the ability to change things, but it refused to do so. We have also heard the endorsement of the franchising process from prominent Labour politicians.

Perhaps the idea is that some things change. It is interesting that, as recently as a few months ago, the Labour Party's own publication entitled, "Powers for a purpose—Strengthening Accountability and Empowering People" said:

"The Co-op Party report argues for a new approach",

which Labour supports,

"in the longer term (i.e. after the end of the new franchise starting in 2015)".

The Labour Party is all over the place on franchising. The reason why we are hearing such thunderous accusations is that it is embarrassed by the fact that we have ended up where we are.

The Labour Party asks why the franchise went to a publicly owned Dutch railway company. That is a natural consequence of legislation that allows public sector bids from other countries, but which refuses them from Scotland or the UK. It is the Labour Party's legislation; the Labour Party laid the tracks for how we have to do the franchising, although I very much hope that that will change. We will continue to argue for the change.

Mark Griffin said that I have said one thing and done another. I have written to the Secretary of State for Scotland three times arguing for that change. I would have liked to have Labour support in that, but we have not had it.

If Labour had wanted to change the process, it had the chance to do so. I do not dispute where the trade unions are coming from in relation to the matter; they have always held that position. They have never had the ability to change things. The Labour Party has, but it refused to do so. It should take responsibility for the consequences.

We have run a proper process and we have got a good deal for the people of Scotland.

Alex Johnstone (North East Scotland) (Con): I thank the minister for his statement and for advance sight of it.

As a North East Scotland MSP, I am, naturally, sad to hear that the Aberdeen-based FirstGroup has lost out in its bid to retain the ScotRail franchise. It is no coincidence that its tenure has seen a dramatic reverse in the decline of rail passenger numbers in Scotland. Its investment and sound management have delivered significant improvements in comfort and punctuality, as well as a substantial increase in the number of routes and capacity across the Scottish rail network.

The competitive nature of the franchising mechanism has played a key role in reviving rail transport in the United Kingdom. I believe that the minister's announcement will further strengthen that recovery in Scotland.

The transport minister has done well to resist calls from the sirens of the extreme left, who would see us return to the investment vacuum and catastrophic management failures of state-owned monopolies in the 1970s. Keith Brown must guarantee that he will play his part in making the franchise a success. Will he give a sound undertaking that he will stand by the contract that he has signed and that he will not exploit the five-year break clause in an inappropriate way in order to end the contract before it delivers everything that it has the capacity to deliver?

Keith Brown: I agree with Alex Johnstone's comments about FirstGroup. It has done an excellent job and we have seen real growth in terms of patronage.

I do not share Alex Johnstone's enthusiasm for franchising, as he well knows. It is an expensive process to go through and it is expensive for the companies involved. It presents an unequal playing field, as it does not allow public sector bids. I have argued that for some time.

Alex Johnstone asked about the situation with the five-year break clause in the contract. The break clause can be activated by either side—the Government or the company—and can be activated for any reason. However, there is no way that I intend to use "inappropriate reasons", as he called them, to exercise use of the break clause, nor do I intend to "exploit" the break clause. The break clause has been put in because circumstances can change, and we have to be wary of that fact. All the tenderers for the contract knew that.

Alex Johnstone also asked whether I support, and will continue to support, the progress and ambitions of the contract. Of course I will. There are huge benefits to the contract, which is the result of very hard work by Transport Scotland officials, and of the Government laying out exactly what its expectations were, including those regarding cyclists and fare payers, who say that they are suffering because of high fares,

especially throughout the rest of the UK. We have taken action on that already and we will take further action. I am sure that Alex Johnstone will be very interested in the £5 fare from Aberdeen to Inverness, Glasgow, Edinburgh or Dundee. The fare must be applied for in advance and there are restrictions to it, but it addresses the fact that some people want the cheapest possible fare.

I hope that despite some of Alex Johnstone's comments he, like me, will be fully behind the success of the contract, for the benefit of passengers and of the staff who will deliver the services.

The Presiding Officer: Many members wish to ask a question of the minister, so it would help us get through if we could have short questions and fairly short responses.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I welcome the substantial staff improvements and new jobs that will come with the new franchise: the living wage, trade unions on the board, 100 new apprentices and the protection of pensions and travel rights. Is it not the case that we must move ahead urgently to deliver those things for staff now, rather than have staff wait for years—perhaps forever—for new railway powers to come to the Scottish Parliament? It is simply not the time to put Scotland on hold, especially for an indeterminate period.

Keith Brown: Stewart Stevenson is exactly right. It strikes me that people like Mark Griffin have to try to get over the fact that they were on the winning side in the referendum. Power over these things rests at Westminster. There is no guarantee of powers—I do not know whether Mark Griffin signed the petition to make sure that we get extra powers. If we were to delay or cancel the contract, that would impact on the new trains that we are ordering, on fares, on the benefits of the new services—reduced fares would not apply—and on the enhanced benefits for staff, including there being no compulsory redundancies in the whole term of the contract and the living wage being paid to every member of staff, whether they are subcontracted or directly employed. Those are real advances for the people who serve the customers. There are also real advances for the customers themselves.

People in Scotland will be interested in the Labour Party's opposition to this material advance for fare-paying passengers and the staff who provide the services.

James Kelly (Rutherglen) (Lab): In the light of the decision, which takes the prospect of public running of the railways out of contention for 10 years, does the minister still support the pitch that he made when he launched his deputy leadership, in which he supported public railways, and will that

be included as part of the Scottish National Party's proposals to the Smith commission?

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): Will it be in the Labour Party's proposals?

The Presiding Officer: Order.

Keith Brown: I am aware that James Kelly came late to the chamber. I do not know whether he heard my previous responses. He may have missed the fact that Labour's position is that we should look for a new approach after the end of the franchise that we are about to sign. That is the same as the position that he just outlined.

The Labour Party is all over the place on the matter and it is not being taken seriously because it has changed its position so often. It was the party that was happy to have franchising; Lord Adonis referred to franchising in glowing terms. The Labour Party did not change the situation when it had the chance; it did not change it through the Calman commission and it did not change it through the Scotland Act 2012. It did not even argue for that change.

A few months ago, Labour was arguing for us to let the contract; suddenly its position has changed. That is because the Labour Party is embarrassed by its past failure to act. We have acted to protect fare-paying passengers.

Alison McInnes (North East Scotland) (LD): Abellio says that there will be major investment in concourse and retail development in order to improve links between Aberdeen station and Union Street. I expect that that will be welcomed in my region. What are the anticipated costs and the timescale of the project? Will the minister assure me that there will be thorough community consultation on the project?

Keith Brown: I am more than happy to give the assurance that there will be thorough community consultation. The project, because it has infrastructure elements, involves various parties, including local authority partners. I will provide in writing the details on cost and the parties that are involved, and I will also underline the reassurance that I have given on community consultation.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): I welcome the commitment for staff that is set out in the new franchise contract. It will see all staff and subcontractors being paid at least the living wage, the creation of 100 new apprenticeships and a guarantee that there will be no compulsory redundancies throughout the contract's lifetime, as well as the protection of staff pensions, of their travel rights and of their representation on the board. That is fantastic. Does the minister agree that it is essential that,

rather than putting Scotland "on pause", those key staff benefits should be delivered at the earliest possible opportunity?

Keith Brown: Maureen Watt is quite right, and those benefits will be delivered at the earliest possible opportunity. The one thing that surprises me is that I have not heard one word of welcome from the Labour Party for those key staff benefits.

Jim Eadie (Edinburgh Southern) (SNP): In keeping rail fares affordable, what difference will the £5 intercity fare and reduced ticket prices for jobseekers and those newly in work make to the people and the economy? What is the timescale for the delivery of more cycle spaces at stations and on trains and the introduction of a bike-and-go cycle hire scheme?

Keith Brown: Jim Eadie will be aware that we have started the hire scheme. I was very pleased to launch the bike hire scheme and bike shop at Stirling station, which is just outside my constituency. There are also further benefits from the work of recycle-a-bike, a tremendous local scheme that prepares and provides bikes at cheap cost to local families. The work has started and it is on-going.

The new services will start on 1 April next year when the new contractor takes over the franchise.

We will get more information out on cycling, but the intention is to ensure that people are able to park their bikes more easily at stations and, where they can, to take them on to trains in greater numbers, for which we have had a real demand. Those advantages mean that we will have a much more integrated transport structure.

I mentioned that some of the concourse improvements and signage will also tell people about ferry and bus arrivals and departures. We obliged all bidders to look at that as part of their bids, to ensure far better connections with bus services, rather than the buses leaving five minutes before the train arrives. We should start to see all those benefits in the months to come, although we are seeing some of them already.

Neil Bibby (West Scotland) (Lab): Delivering the living wage through procurement is a good thing, so it is a shame that the SNP did not think that a couple of months ago when it voted against that in the Procurement Reform (Scotland) Bill.

Since 2008, ScotRail has made £100 million of profit, 95 per cent of which has gone to shareholders. What are the projected profits for the new franchise holder? How much money will be taken out of and not reinvested in the Scottish rail network?

Keith Brown: I do not know whether Neil Bibby is aware of this, but it was the Labour Government in 2004 that awarded the franchise to ScotRail in

the first place. We used that same franchise framework. If the member has a concern about the profits, I say to him that we put in place provision to ensure that any excess profits are returned to the Government and we have applied that provision to the new contract, too.

On the member's late conversion to the idea of the living wage, Labour did nothing about that when it was in power. There was no living wage in 2004 when the Labour Government had a chance to introduce it. This Government has taken action on a living wage not just for directly employed people but for people who are subcontracted. We are taking action; Labour only talked about taking action.

Aileen McLeod (South Scotland) (SNP): In welcoming the announcement of a great scenic railway of Scotland scheme, bringing more tourists to the south-west, the Borders and the north, could I ask the minister to outline the benefits that will be delivered for my constituents in the south-west?

Keith Brown: That is a very good point. I know that the scheme has already been warmly welcomed by tourism organisations across Scotland. As Aileen McLeod knows, not least because the first community rail partnership was established in her region, there is real pride in sections of the railway and we want people to take ownership of those. As I have said, there will be tourism ambassadors who will help people locate and get to the attractions and scenery around Scotland. That should benefit places throughout Scotland, including in the area that Aileen McLeod represents.

Alison Johnstone (Lothian) (Green): I inform the chamber of hospitality that was provided to me by Abellio during the Commonwealth games in my position as the co-convenor of the cross-party group on cycling.

There is a huge public appetite for bringing rail back into public hands—Green colleagues in Westminster are leading a bill that would allow the renationalisation of rail services as franchises run out. Can the transport minister confirm that the optional five-year break point in the franchise will allow a Scottish public sector operator to make a bid at that point, provided of course that power is devolved from Westminster to allow that to happen?

Keith Brown: The sting in the tail is in the last part of Alison Johnstone's question—provided that Westminster allows the powers to do that. We will argue for the maximum possible powers over the rail network in Scotland, as we have done for many years. We have argued for the franchising process to be expanded to allow public sector bids. There is no guarantee that a public sector bid

will come along, or that it will be successful, but we have argued the case for such bids.

I have mentioned the five-year break clause already. We will exercise that only in a responsible and appropriate way. Who can say what the situation will be in five years' time? We have to go into the contracts with the intention of seeing them through. If circumstances change, either for the party providing the service or for the Government, of course we will reconsider the contract, but we have to go into the process with the intention of completing the contract. That is what those bidding in the bidding process that we are obliged to hold expect and that is how we will proceed in relation to the five-year break.

John Mason (Glasgow Shettleston) (SNP): There seems to be quite a lot of good news linked to the contract. Will the minister confirm that, as well as taking on the First ScotRail staff in Glasgow, Abellio will bring new staff to Glasgow and site a new function there?

Keith Brown: That is a very good point. Abellio intends to bring its UK headquarters to Scotland and site them in Glasgow. There will also be a shared services centre. In total, we are talking about 200 jobs, which is a major benefit. That shows the level of commitment that Abellio has to the process. It will be a jobs boost for people.

As I mentioned earlier, the idea of doing something to make it easier for jobseekers and the newly employed—perhaps before they start receiving a wage—to be able to get around the country more cheaply demonstrates the Government's commitment to driving up employment and helping out some of the more disadvantaged people in society.

Ken Macintosh (Eastwood) (Lab): Will the minister tell us his Government's position—rather than his views on Labour's position—on using the powers that the Parliament already has to consider a co-operative, a mutual or a not-for-profit franchise, as for example proposed by the rail union ASLEF or the co-operative movement? Further to Alison Johnstone's question, will the five-year contract break allow a future Administration to go down that route or are we committed to 10 years of privatised railways in Scotland?

Keith Brown: I have answered the question on the five-year break twice now; the five-year break can be exercised by either party.

On Ken Macintosh's other point about a not-for-profit bid, we have said from the start of the process that we would be more than happy to see a not-for-profit bid come forward. Some of the organisations that Ken Macintosh mentioned were very interested in that and were asked whether they wanted to put in a bid, but they said that they

were unable to do so. If he looks into the matter, he will see that one of the provisions is that a bidder must have some background and experience in providing rail services. There is at least one public sector organisation in Scotland that is able to demonstrate that. We are not able to favour one bid over another—a fact that Ken Macintosh knows. We have always been ready to welcome any not-for-profit bid, but none came forward.

The Presiding Officer: That ends the statement by the minister. I apologise to the two members that I was unable to call. This afternoon's motions make business extremely tight.

Policing

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-11114, in the name of Graeme Pearson, on policing.

15:09

Graeme Pearson (South Scotland) (Lab): It is with some disappointment that I feel the need to move this motion. It is my belief that the Cabinet Secretary for Justice has abandoned his responsibilities in relation to police reform. He is tired and lacking in ideas, and he gracelessly refuses to listen, leaving a private power struggle between officials.

The real empathy that a human being in uniform can demonstrate towards members of the public has always been key to policing in Scotland. That humanity in the administration of law and good order remains, to this day, the foundation of policing by consent. It enables police officers to walk any street in Scotland, confident in the knowledge that they can deliver on their duties for the community. I have witnessed at first hand the impact on my community of such an approach to policing. I am in awe of the truly inspiring work that constables, sergeants and inspectors bring to my streets.

It is in that light that I speak to the motion in my name. Few subjects are more important than the need to ensure that policing throughout Scotland is delivered with full consent and in a way that takes cognisance of the public's needs, particularly at times of crisis, rather than for the convenience of powerful senior executives, civil servants and politicians. This Government's approach to the creation of a single police service has been inspired by the latter approach and blind to the former.

Scottish National Party members have been quick to remind me of statements that I made in my previous life as a chief officer in the Scottish Crime and Drug Enforcement Agency. I therefore remind the cabinet secretary that I expressed my views on precisely the principles that I have outlined, along with my commitment to a single police service for Scotland, more than seven years ago, when we first met, at Paisley police office.

I was disappointed then at the cabinet secretary's lack of interest in the concepts, and I feel let down by him now. He seems to speak with no one and to take notice of or advice from no one. His incompetent handling of the Megrabi affair, corroboration, stop and search, and office and control room closures has been characterised by his view that everything is someone else's responsibility.

The cabinet secretary's absence from the debate on armed police was, in my view, the final straw. The long-running controversy around the arming of police officers is firmly his fault. He stood aside as chief constable and chair fought a silent war—pressing issues lost in a fog of egos and misinformation. A chief constable leads the service, delivering policing; the Scottish Police Authority should hold him to account for what he does, what he intends to do and how the service performs. With officers being allowed to bear Glock 17 firearms while on routine duties on our streets, none of those responsibilities was properly discharged. Mr MacAskill sat in his office, uninterested, asking, "Crisis? What crisis?" He said that the public were unconcerned—we know that that is not the case.

With office closures and the loss of 2,000 support staff jobs, the billion-pound police service in Scotland has developed in a haphazard fashion. Reviews by Her Majesty's inspector of constabulary for Scotland and the SPA, along with academic and media commentary, tell a worrying story about stop and search and the police use of firearms.

How do we deliver true governance? One reason for setting up a single service was the cabinet secretary's view that the eight police boards were ineffectual. I agree, and I see from Vic Emery's agenda piece in *The Herald* yesterday that the SPA chair seems to have got it, to some extent. He acknowledged that good governance had not been on display over the past two years.

I and others have been commenting on governance and operational independence, but only now are key officials beginning to face the issue. Statute does not recognise the concept of operational independence, but I would expect the chief constable to be unfettered in his ability to decide on crisis and emergency responses, while being sensitive to the need to obtain board approval for his policies going forward.

The cabinet secretary's plea has been that he was avoiding political interference. That does not wash. If he had been so concerned about political interference he would not have engaged in a private briefing on arming the police outwith the knowledge of his chosen board members. I discovered only yesterday that the meeting was not even minuted.

I am left with the unfortunate impression of a politician keeping his fingerprints off, but nevertheless interfering with, policing. Whether or not it is true, that perception does not feel like open government.

At no time have I or my party criticised police officers. My criticism has always been aimed at the absence of action from the cabinet secretary to

ensure that the authority has delivered on its remit or to address the failure of a costly SPA to properly demand of the chief constable full and timely briefing on policy issues.

The public have raised concerns, and so have politicians and academics. Even police staff and officers have begun to raise reservations. Therefore, to insist, as some members on the Government benches do, that it is much ado about nothing indicates a distance from reality that is worrying and reflects a preoccupation with politics and independence instead of governance and police scrutiny.

Because of that, the SPA board—I am one of the few members in the chamber today who has attended one of its meetings—has spent considerable time reviewing reports, rather than challenging the chief constable on options for the future to obtain the kind of information that true governance delivers. The board had no notion of the change in the firearms policy or its impact. The board had no notion that more than 600,000 people in Scotland were being stopped and searched. Only after those things became public knowledge did the board become aware that such impacts were being felt throughout Scotland. That is not governance, accountability and scrutiny, and it does not deliver policing by consent.

No one in this chamber has more respect for the police than I do. The officers on the streets have had a difficult and challenging time, particularly with the reforms that we have seen. I supported reform against a great deal of pressure from senior officers and others. The cabinet secretary may guffaw, but he is well aware of the support that I have given to the concept throughout the past decade.

Quis custodiet ipsos custodes? The saying dates from Roman times, and people may feel it a sad reflection that it still has relevance today. Who watches the watchers? Let us apply that principle to our day-to-day management of what is now a powerful national organisation and one that I wish to be a success.

I hope that, in the years ahead, the service will meet the expectation that our communities will be well policed and that the weakest and poorest among us will be able to rely on it to deliver for them. I know that the service faces major challenges and I admire the executive for facing those challenges, but it does no one any good to continually suggest that all is well, that there is no crisis and that those who administer the law are the ones who are best placed to judge how to deliver it.

I expect the first question on any cabinet secretary's mind to be about how to deliver true and effective governance of Police Scotland. The

fact that that issue has not been at the forefront of the cabinet secretary's mind in the past 18 months saddens me and is why I lodged the motion.

I move,

That the Parliament believes that all fundamental changes in the way that Scotland is policed should be properly debated and that meaningful consultation, including with the Scottish Police Authority board members, should be carried out prior to any policy decision being taken; notes with concern the absence of any meaningful contribution from the Scottish Police Authority ahead of recent policy changes on stop and search, the allocation of routine police duties to armed officers and target setting; recognises that it is necessary for Police Scotland to police by consent and that this is in the interests of public safety and confidence in the police; believes that the responsibility for the accountability of Police Scotland lies with the Cabinet Secretary for Justice, who told the Parliament on 27 June 2012 that "the Scottish Police Authority's ability to hold the chief constable to account for the policing of Scotland is wide ranging and allows the authority to scrutinise and challenge the chief constable on all of his or her functions and roles and on all aspects of policing", and, in light of the cabinet secretary's failure to provide effective governance of Police Scotland in delivering public accountability, calls on him to resign from his post.

15:19

The Cabinet Secretary for Justice (Kenny MacAskill): We have discussed policing many times in the chamber over the past 18 months. The Parliament and three committees debated the legislation at length before it was overwhelmingly approved by the Parliament, including all Labour members. I have taken part in many debates and have answered hundreds of questions, and the First Minister has been asked about policing on numerous occasions. The Justice Sub-Committee on Policing has met on 22 occasions. At the local level, there are now 360 councillors who have a say in policing—an increase of around 150 per cent.

Policing is subject to more effective scrutiny now than ever before, and the debate must be seen against that backdrop. I appreciate that members want to ensure that the new arrangements are working well, and they are.

We had to establish a single service to protect policing from Westminster budget cuts. Reform ensures that our policing continues to perform excellently. Scotland is a safer place; officer numbers are high; confidence in the police is high and rising; and crime is at a 39-year low. In Scotland, we have the best possible police service.

Members should compare the situation here with that south of the border, where policing has been devastated by successive Governments. More than 14,000 officers have been axed since 2007, and numbers are now at their lowest since September 2001.

Elaine Murray (Dumfriesshire) (Lab): If that is the case—if there is that causation—why did crime in England and Wales fall 15 per cent last year, and why is it at its lowest point since records there began 33 years ago?

Kenny MacAskill: Crime in England and Wales has not dropped as far or as fast as it has dropped in Scotland, but the decline in police numbers is significant and huge. Numbers are predicted to decrease by 11 per cent, although Mr Pearson's colleague Yvette Cooper suggested that a 12 per cent cut in police spending would be manageable. The Winsor reforms have been imposed on the service and morale is, unsurprisingly, at rock bottom. Following a record low turnout for a national peacetime election of 14.9 per cent, police and crime commissioners were introduced at an estimated cost of £100 million, which could have paid for 3,000 officers—it has been a disaster.

I appreciate that members had concerns about some officers carrying firearms on routine duties. The overwhelming majority of officers—more than 98 per cent—are unarmed. Only 275 of our 17,318 officers are authorised to carry weapons. As they are divided across five shifts, only a small number will routinely be on duty at any one time.

The chief constable has listened to concerns, and I believe that the proposals that were announced last week address those concerns while ensuring that armed officers can still be deployed quickly whenever required.

The reviews by HMICS and the SPA that are under way are crucial, not simply to this issue but to more fundamental questions about how policing engages with the communities that it serves and how we strengthen policing by consent. I welcome the action that the chief constable has taken on those difficult issues, but some members are still not satisfied.

Neil Findlay (Lothian) (Lab): Will the cabinet secretary give way?

Kenny MacAskill: Not at the moment.

That is not only my view, but the view of Niven Rennie, the president of the Association of Scottish Police Superintendents, who said this week:

"I would have thought the fact that our Chief Constable ... has taken account of public opinion ... would be welcomed and applauded ... Despite this, the misreporting and political point scoring continues."

We see more of that again today.

During the passage of the Police and Fire Reform (Scotland) Act 2012, members from across the chamber rightly stressed the importance of there being no political interference in policing. We listened, and we placed that

principle at the heart of reform. It is central to the way that Scotland is policed and to the way that we want it to be policed. Members would understandably be horrified if we did anything else. That is exactly why the chief constable should not be directly accountable to me or any other politician and why he is accountable to the Scottish Police Authority. Mr Pearson appears to want to roll back from that.

Graeme Pearson: Will the cabinet secretary give way?

Kenny MacAskill: In a minute.

Let me be clear: operational independence is different from accountability. The chief constable is solely responsible for decisions to enforce the law, but he is accountable—in our case, to the SPA—for those decisions.

I am disappointed by Mr Pearson's motion and I fundamentally disagree with it.

Policing should not be used as a political football, and Mr Pearson should stop traducing the police and the SPA, undermining the morale of officers and staff, and attempting to score cheap political points at the expense of thousands of hardworking officers and staff who cannot answer back.

We have—

Neil Findlay: Will cabinet secretary take an intervention?

Kenny MacAskill: I am coming into my last minute. [*Interruption.*]

The Presiding Officer: Order.

Kenny MacAskill: We have come a long way since the early stages of reform and the arrangements are now much more effective. The SPA stands for not simply holding the police to account but strengthening the very principle and practice of policing by consent, which is something that we can all support.

We should applaud the continued strong performance of our police and recognise that Police Scotland, working with the SPA, is listening to concerns and acting on them. Unlike Mr Pearson and his colleagues, this Government will never use policing as a political football to score cheap points. We must not undermine officers and staff.

This week, Brian Docherty, the chairman of the Scottish Police Federation, expressed grave concern about some politicians engaging in point scoring. That is exactly what we have seen today, and it is especially disappointing at a time when policing has been widely praised following the outstanding policing of the Commonwealth games, the Ryder cup and, of course, the referendum.

This is a time to celebrate Scottish policing, not to castigate those who serve us with such distinction. I reject the terms of Mr Pearson's motion and propose an alternative.

I move amendment S4M-11114.2, to leave out from first "believes" to end and insert:

"acknowledges that policing in Scotland continues to perform excellently and, despite UK Government cuts, reform has ensured that crime remains at a 39-year-low, violent crime is down by almost half, crimes of handling offensive weapons are down by 60%, homicides are at their lowest since records began, police numbers are 1,000 higher than they were in 2007, compared to more than 14,000 officers being axed since 2007 in England and Wales, and confidence in the police is high and rising; recognises that Police Scotland listened to public views and opinions about stop and search and armed police and adjusted its approaches accordingly; further recognises that the current Scottish Police Authority and HM Inspector of Constabulary in Scotland scrutiny reviews will enhance the way that policing relates to the people and communities it serves; notes that, during the passage of the Police and Fire Reform (Scotland) Act 2012, members from across the Parliament stressed the importance of ensuring that there is no political interference in policing, and, following a period where Scotland's policing has been so strongly in the international spotlight at the Commonwealth Games and Ryder Cup, calls on the Parliament to recognise the very positive impact of Police Scotland and to congratulate officers and staff for their excellent work."

15:26

Margaret Mitchell (Central Scotland) (Con): It is important to stress at the outset that since Police Scotland was formed more than 18 months ago, front-line police officers have worked tremendously hard to keep us safe from crime.

At the same time, those same officers have had to adapt to seismic organisational and cultural change against a backdrop of Chief Constable Sir Stephen House taking a number of controversial policy decisions with far-reaching implications. That has resulted in the new single police force attracting the attention of politicians and the public for the wrong reasons.

The chief constable's policy on stop and search and the deployment of armed police officers to routine incidents, coupled with the closure or reduction in hours of dozens of police station front counters earlier this year, have been the subject of extensive criticism and deep concern.

It is significant that only after the decision on police station front counters was taken was there a belated consultation. Despite opposition, the proposals were still approved. The chief constable's unilateral approach undermined the process of meaningful consultation and accountability that is central to our democracy.

There is an important point here that the cabinet secretary does not seem to understand. Politicians' comments about and criticism of the

lack of transparency and accountability are not political point scoring, as Brian Docherty, the chairman of the SPF, ill-advisedly suggested recently. Rather, such criticism is fundamental to the role of elected members of the Scottish Parliament.

Furthermore, although the rank-and-file officers did a splendid job policing the Commonwealth games, many MSPs have received complaints about the unfavourable conditions that those same policemen and women were subjected to and about how those grievances were handled.

More worryingly still, a survey by the ASPSP of senior front-line police staff found that 11 per cent of those questioned felt that they had been bullied or intimidated. The survey also indicated a prevailing culture of targets, which certainly has implications in relation to stop and search and road traffic offences.

Consequently, the Scottish Conservatives firmly believe that, following the merger to form Police Scotland, it is essential that police staff and officers have a mechanism that offers them the means to raise legitimate concerns without fearing for their job security, where those concerns can be voiced anonymously, heard and treated seriously.

For that reason, my amendment calls for the creation of a whistleblowers hotline similar to the one that is currently in use for the national health service, which is also a critical front-line service.

The motion refers to the lack of any “meaningful contribution” from the SPA on the arming of police officers. It is totally unacceptable that the SPA, as the principal body that holds Police Scotland to account, was not consulted more widely on the standing firearms authority before the policy was introduced. It is little wonder that the SPA chairman Vic Emery has expressed concern that the body’s

“scrutiny role is very much after the fact.”—[*Official Report, Justice Sub-Committee on Policing*, 21 August 2014; c 481.]

The situation self-evidently cannot be allowed to continue. It is unacceptable and a dereliction of duty for the cabinet secretary to seek to absolve himself of any responsibility to address such a deeply worrying state of affairs.

The deployment of armed police to routine incidents has been a particular source of concern for the public. Indeed, the lack of transparency in decision making in Police Scotland erodes trust in the single force at a time when the police need to retain and increase that trust in local communities and throughout the country. That is the policing by consent to which the motion refers.

The Scottish Conservative and Unionist Party has sought to be constructive in our scrutiny of

Police Scotland. That includes making positive suggestions for improvement, such as introducing a whistleblowers hotline or employing retired police officers in schools to free up other officers to return to the front line.

The call in my amendment for the cabinet secretary to “consider his position” is not made lightly. However, when the general public’s trust in Scotland’s law and order enforcers is in danger of breaking down, the ultimate responsibility lies with the Cabinet Secretary for Justice.

The Deputy Presiding Officer (Elaine Smith): The member must conclude.

Margaret Mitchell: It is the cabinet secretary’s duty to ensure the effectiveness of the checks and balances that should guarantee the enforcement of essential accountability for and transparency of policy decisions that are taken by the chief constable of Scotland’s single force.

The Deputy Presiding Officer: I am afraid that the member must close.

Margaret Mitchell: In that respect, the cabinet secretary’s stewardship has been totally inept.

I move amendment S4M-11114.1, to leave out from “responsibility” to end and insert:

“establishment of a whistleblowers’ helpline for police officers and staff would help achieve this objective; considers that the ultimate responsibility for the accountability of Police Scotland lies with the Cabinet Secretary for Justice, and believes that, in view of his inept stewardship of justice issues, including policing in Scotland, the cabinet secretary should now consider his position.”

The Deputy Presiding Officer: We are very tight for time this afternoon. If members wish to speak in the debate, they must press their request-to-speak button. Members must stick to a very strict four minutes.

15:32

Kevin Stewart (Aberdeen Central) (SNP): Graeme Pearson, in his opening speech, asked, “Who watches the watchers?”, and his motion mentions responsibility, accountability, scrutiny and challenge.

I would like to remind members of what existed before the current structures. I served on Grampian police board for 13 years before coming to the Parliament, and I was told by a Labour councillor when I first joined the board that his party put on boards and regulatory committees the folks who were “the dross and the awkward squad that we canna control in other committees”.

Police boards were the sole bodies scrutinising the forces at that time, and according to that Labour councillor they contained “dross and the awkward squad.” I disagree with that, because

there were many good people on police boards. However, many boards failed dismally in watching the watchers and ensuring that the chief constable was held to account. That was evident in some of the final audits that Her Majesty's inspectorate of constabulary for Scotland and Audit Scotland carried out jointly on police forces and boards, which were extremely critical of the scrutiny situation that existed.

The only board and force that came out fairly well—I can only say “fairly”—was Grampian. The reports on the rest made for very grim reading indeed.

What do we have now? As the cabinet secretary said, we have 360 councillors on local policing boards. We have the Scottish Police Authority and the Justice Sub-Committee on Policing, which the Parliament wanted to establish. There is more scrutiny of the police force now than there has ever been.

Bruce Crawford (Stirling) (SNP): Does the member agree that the fact that there are now only five or maybe six Labour members in the chamber and the fact that only half the afternoon has been devoted to the issue show more clearly than anything that this is purely a political stunt?

The Deputy Presiding Officer: You are approaching your final minute, Mr Stewart.

Kevin Stewart: I agree that it is completely a political stunt. I would go much further, because I agree with Brian Docherty that this is about “point-scoring politicians” interfering in operational matters.

When the public have been unhappy with situations, there has been a fairly quick reaction. On stop and search and arming of officers, there has been a quick response from HMICS, the SPA, local policing boards and the Justice Sub-Committee on Policing—the entire shebang. We are about to see the changes to which those concerns have led. That is the right way to deal with things, and it shows the right level of scrutiny, challenge, responsibility and accountability.

The Deputy Presiding Officer: Come to a close, please.

Kevin Stewart: From some members, we have seen flip-flopping on the issue to create instability and to interfere and point score.

The Deputy Presiding Officer: I am afraid that you must close.

Kevin Stewart: That has got to stop.

The Deputy Presiding Officer: Members must keep strictly to four minutes, please.

15:36

Elaine Murray (Dumfriesshire) (Lab): Like other members, I welcomed last week's announcement by the chief constable that he had jettisoned his policy of deploying armed police officers on routine duties. However, like many people, including many of my constituents, I wonder how the situation arose in the first place, why the checks and balances were not in place to ensure that such a controversial decision could be made without consultation or discussion, why the Scottish Police Authority did not intervene, and why the Cabinet Secretary for Justice stood aside and passed the buck.

Several weeks ago, a retired police officer informed me that he had observed armed police officers attending a contretemps between some street drinkers on Whitesands in Dumfries. On 2 August, Peter Lenthall, a retired Army officer from Penpont, observed an armed police officer in Dumfries supermarket, not attending an incident but buying his supper. Mr Lenthall, who has extensive experience of firearms, instantly recognised the weapon as a Glock 17. He approached the officer, expressed his concern and inquired how many rounds of ammunition it contained. The following Monday, Major Lenthall received a visit to his home by a sergeant, who told him that the change of policy had been approved by the cabinet secretary. Major Lenthall was then asked to sign a piece of paper, which he refused to do. Since then, another constituent has observed another armed police officer shopping in a different local supermarket. How was that ever considered to be acceptable?

It is not just the decision to change policing policy that has caused outrage; it is the way that it was done. I am sure that Dumfries and Galloway is not the only part of the country that is concerned about what is felt to be the imposition of the former Strathclyde Police's policies and targets on the rest of Scotland. The relationship between the public and our police in Dumfries and Galloway has always been good.

Dumfries and Galloway Constabulary was well respected, and there was much concern about and opposition to the creation of Police Scotland. I supported a single force, but I was told—and I told other people—that local accountability would continue under it. However, local accountability in Dumfries and Galloway is simply not the same as it was. Many of us feel let down, and we almost feel as though we have let other people down. Unless the issue is addressed, there is a real danger of loss of confidence in the police, which would be extremely sad, as our local police at all levels do an extremely good job—they are absolutely exemplary.

The Labour motion asks the cabinet secretary to resign. I certainly do not do that lightly, because I am always happier playing the ball than the man. I know that those on the Government benches did not like the reference to the cabinet secretary's decision on the release of al-Megrahi, but that was highly controversial, as everybody will remember, and it was hurtful to many of the families of the victims of the Lockerbie bombing.

Then there is the cabinet secretary's role, or lack of it, in the closure of police counters and control rooms, the latter again without local consultation. When Mr MacAskill came to Dumfries, he refused to meet the 30 staff who were losing their jobs at the police control room in the town.

In one of his most disgraceful speeches in this Parliament, he dismissed, insulted and trivialised the genuine concerns of Opposition politicians who were wrestling with a problem surrounding the proposal to abolish the requirement for corroboration in the Criminal Justice (Scotland) Bill, and then he capitulated and did what we had been asking him to do and remitted the issues for further consideration.

The cabinet secretary has stood aside when communities and politicians have expressed concern over court closures, stop and search and the routine deployment of armed police, always excusing his inaction on the basis that those issues were operational matters for the police. I am sorry to say that the cabinet secretary does not seem to understand the difference between interfering and taking responsibility and showing leadership. If he is not able to do that, perhaps he should be considering a change of job.

15:40

Christian Allard (North East Scotland) (SNP):

I am afraid that four minutes is far too short to debate the 203 words in the motion that Graeme Pearson, the Labour justice spokesman, has put before us. Let us take words 7 and 8, and discuss what Mr Pearson calls "fundamental changes". Those are operational matters that were in place long before Police Scotland was created—in police forces all across Scotland and south of the border.

The role of the Scottish Police Authority board was created to hold the chief constable to account, not to micromanage the chief constable, as Mr Pearson would like it to do. Mr Pearson and his Labour colleagues chose to ignore that and are calling operational matters policy decisions, to undermine Police Scotland. Stop and search was a policy that Labour, the Conservatives and the Liberal Democrats supported, yet today they use that important tool in Police Scotland's toolbox to

undermine the excellent work of police officers working to make our streets safe.

As for armed police officers in our streets, Mr Pearson has been found out. We heard it: we know now that the Labour justice spokesman wanted a standing authority for his officers to carry firearms when he was director of the Scottish Crime and Drug Enforcement Agency.

I believe that Mr Pearson should consider his position as a member of the Justice Sub-Committee on Policing. I could replace him easily, Presiding Officer, and I shall explain why. The motion lodged by Labour's justice spokesman attacks the Scottish Police Authority for failing to hold the chief constable to account. Let me remind the chamber who has the remit to scrutinise all aspects of policing in Scotland. The Justice Sub-Committee on Policing has that remit. If Mr Pearson thinks that he has failed, he should reconsider his position.

The motion from Scottish Labour tells us more about that party than it tells us about Police Scotland. The motion is about Scottish Labour members wanting to micromanage our police officers. They did it when they were in charge and they want to do it now that they are in opposition. It is not about political interference from Scottish Labour; it is much more than that. It is about Labour politicians wanting to tell our police officers how to do their job. Labour members did not have a clue then, and they do not have a clue now.

I remember a North East Scotland MSP who was Labour justice spokesman—he has left the chamber now—supporting police reform at the time. Scottish Labour believed then that the change was essential to ensure that we had policing fit for Scotland in the 21st century and to maximise investment in front-line services right across Scotland. That is what Police Scotland and the cabinet secretary have achieved.

I understand why the Scottish Conservative amendment says nothing about elected police commissioners and why Margaret Mitchell did not say anything about that in her speech. It was another of the Liberal Democrats' great ideas for getting elected, but people just cannot trust the Liberal Democrats on policing. One would think that Labour members would know that using Police Scotland as a political football will get them nowhere—exactly where the Liberal Democrats are today.

If someone should resign, it is Graeme Pearson, a member of the Justice Sub-Committee on Policing who thinks that the role of that committee is to be a political tool to attack Police Scotland at every opportunity, in the media and here in the chamber.

I will be supporting the cabinet secretary's amendment to the motion. There has been no fundamental change in the way that police operate.

The Deputy Presiding Officer: You must conclude.

Christian Allard: There is no crisis. Today, Parliament needs to take the opportunity to congratulate officers and staff on their excellent work since the creation of Police Scotland.

15:44

Alison McInnes (North East Scotland) (LD): One could be forgiven for thinking that the Police and Fire Reform (Scotland) Act 2012 established Police Scotland. It did not. This Parliament established the Police Service of Scotland. However, on taking command of the national force, the chief constable swiftly presided over a rebrand.

Discarding the declaration of service in favour of a more commanding, uncompromising title was perhaps a premonition of things to come: armed police patrolling our streets; stop and search on an industrial scale, with hundreds of thousands of searches lacking a sound legal basis; and the dismantling of valued local services. Those controversies have sparked genuine public anger. The democratic deficit and formidable appetite for wider participation in decision making is clear to everyone—everyone except the justice secretary.

Police Scotland must openly welcome meaningful dialogue with the public and the SPA before it adopts a policy, not only once it is exposed by the press or politicians. Such engagement is one of the most important clauses in its contract with citizens. It is not a cumbersome requirement to be circumvented. Police autonomy cannot be limitless, and public consent is never unconditional, yet our justice secretary resolutely refuses to acknowledge that.

Back in the 1980s, Lord Scarman noted that the constitutional control of accountability meant that, although the police should exercise independent judgment, they were also the servants of the community and could not effectively enforce their judgment without the support of that community. However, the justice secretary is unperturbed about presiding over the erosion of policing by consent—the principal that the power of the police is derived from public co-operation, transparency and accountability. He seems untroubled that the foundations of our centuries-old, world-renowned policing model have been weakened by a unilateral shift to an enforcement model of policing that does not carry the support of the public, and by a poor governance model that has allowed the chief constable to draw more powers to himself.

The Minister for Local Government and Planning (Derek Mackay): Will the member give way?

Alison McInnes: I have little time.

The independent commission on policing for Northern Ireland examined how its single force could become rooted in and accountable to the communities that it serves, and the widely respected Patten report concluded that two words, “operational independence”, proved a significant barrier to ensuring that all public officials are fully accountable to the people whom they serve and their institutions. It argued that the philosophy of “operational responsibility” better reflects the need to still be answerable.

Fifteen years on, Scotland is caught in the same trap. Given the police's extraordinary powers as a national force, they should be subject to unparalleled scrutiny. However, in the absence of codification of the chief constable's scope and reach, he is all but exempt from any constraint.

The Deputy Presiding Officer: You are in your final minute.

Alison McInnes: Time after time, the cabinet secretary dogmatically obstructs and extinguishes rightful debate by invoking those two words, “operational independence”. Today, he again offers us a one-dimensional view of policing, saying that bobbies on the beat and crime figures trump any legitimate concerns. That is a patronising, disrespectful and disingenuous response to a debate that is fuelled by local communities and their reasonable expectation of accountability in Scotland's national force.

Of course, we all have the utmost respect for the hard work and dedication of our officers. However, until these problems are resolved, the SPA, Parliament and the public will continue to be excluded from Police Scotland's decision-making process, forced to react after the fact, even when the force appropriates powers to itself. The justice secretary's failure to challenge that, and his blasé reaction to the concerns of those we represent, show that until he leaves office there is no prospect of reform.

The Deputy Presiding Officer: Please conclude.

Alison McInnes: The cabinet secretary has long outstayed his welcome. His charge sheet is long. He has presented members with a succession of ill-considered reforms.

The Deputy Presiding Officer: You must close.

Alison McInnes: He is unfailingly out of step with public opinion.

The Deputy Presiding Officer: I am afraid you must close.

Alison McInnes: The justice secretary should not be afforded the luxury of quietly slipping out the door.

15:49

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I say to Graeme Pearson, who would not take an intervention, that the cabinet secretary took full responsibility for the decision on the compassionate release of Megrabi. I was here; Mr Pearson was not.

On the Tory amendment, I say to Margaret Mitchell that I agree with only one part of it, which is the part about a whistleblowers hotline. If she will forgive me for taking the credit, I think that I was the first to suggest that, in the Justice Sub-Committee on Policing.

On the Labour motion, I say to Graeme Pearson that some of his earlier scrutiny since the inception of Police Scotland had merit, but he has gone far too far and is now beyond the pale.

I have quotes from Brian Docherty, chair of the Scottish Police Federation, representing rank-and-file officers. He said:

“The chief constable is the right person to make decisions about policing in Scotland”,

not some

“point scoring politician.”

I wonder who that could be. No wonder Graeme Pearson is looking red.

Brian Docherty also claimed that MSPs had manipulated the issue of armed police to attack their political opponents.

Police Scotland has received 24 letters of concern on the issue of armed police. I have had four emails, two expressing concern about the headlines and two criticising me for claiming that I wanted to prevent the police being armed in life-threatening situations. Incidentally, those were from relatives of officers who had been badly injured on duty.

Today's headline in *The Herald* is “Police chief anger over crime figure accusations”. Through his comments, we could no doubt feel his fury at Labour in particular—although not named. The chief constable said that Police Scotland analysts looked at performance figures “like hawks”. He also said:

“Why would I compromise 34 years in the police for my own self-worth never mind anyone else's?”

The leader in *The Herald* is headed “Criticisms must be based on facts”. That reminds me of that excellent Mark Twain quote:

“Get your facts first, then you can distort them as you please.”

Of course, Labour did not even bother to get the facts. Armed police account for 2 per cent—referring to the national standing firearms authority—which is less than Graeme Pearson requested, as he has admitted at times, during his stint as director of the Scottish Crime and Drug Enforcement Agency.

If the cabinet secretary had interfered across the remit of the SPA and Police Scotland, he would have rightly have been accused of politicising police operations. As for effectiveness in his post, despite my open and public disagreements with some of the cabinet secretary's decisions, I have high regard for his skills during his time in post as Cabinet Secretary for Justice and before that, when he had Graeme Pearson's job as a shadow minister.

I have considered the skills of the alleged cabinet secretary in waiting. It seems to me that Graeme Pearson is a one-trick pony, unable to focus on anything but his former colleagues. He did not lead for Labour in yesterday's debate or even close on the Courts Reform (Scotland) Bill because, I suspect, he knows nothing about it. He left it to his very capable deputy, Dr Elaine Murray. I suspect that, if Graeme Pearson were on “Mastermind”, he would not be able to select current Scottish justice issues as his specialist subject.

Ironically, by opening up this matter for debate and challenging the expertise and appropriateness of the justice secretary, Graeme Pearson has exposed his own inadequacies. I will leave it at that, although some say that, with his relentless undermining of Police Scotland, which he purports to support, he might just be settling some old scores.

15:52

Ken Macintosh (Eastwood) (Lab): I am sure that no one in Parliament needs to be reminded that policing by consent is the principle that underpins law enforcement in this country. Central to that philosophy is the confidence and trust in our police service that the public enjoy.

I have never doubted Mr MacAskill's commitment to this country and to his post as Cabinet Secretary for Justice. It is simply, and unfortunately, the case that his time has come. Confidence and trust in the leadership that he provides to the criminal justice system and the accountability that he offers to Parliament have

evaporated. I am sorry to say that it is now time for him to step aside.

I believe that we are witnessing the effect of an accumulation of poor decisions over several years—including, for example, the decision on use of stop-and-search powers, and the U-turn on corroboration—that have collectively led us to this point. For me, the cabinet secretary's handling of the issue of armed police has been the straw that broke the camel's back. I am staggered by how insensitive the cabinet secretary has been to concern from the public who have been faced with the prospect of highly visible armed police becoming a common presence on our streets. I am still confused, in fact, about whether Mr MacAskill shares that concern, and confided that view to the chief constable; whether he does not share that concern, and confided that view to the chief constable; or whether he just thinks that the question of the police carrying guns is none of his business.

MSPs questioned the cabinet secretary on the issue in the summer. I found his response to be both defensive and dismissive. Even if the cabinet secretary genuinely believes that the subject of armed police is not an issue for which he should be held accountable, does he not recognise the equally genuine public anxiety at the absence of any process of democratic accountability? The new national police service and the Scottish Police Authority are creatures of Mr MacAskill's own making. He assured Parliament that the new relationship would be sufficient to provide the scrutiny and accountability that the public sought, yet it has fallen at the first hurdle.

Perhaps we should not be surprised, because when Audit Scotland reported on the process of police reform, the bill on which was taken through Parliament by Mr MacAskill, it revealed a horror show of poor decision making and inadequate leadership. As we all now know, a full business case for the merger of Scotland's eight forces was never produced, despite Mr MacAskill's officials specifically promising Parliament that that would be done. Hundreds of thousands of pounds were spent on buildings such as Bremner house that were never used. Again, that decision was taken not by the police but by the Scottish Government. Millions more were spent on staff redundancies, some of whom were subsequently re-employed, or were spent on—which is worse—removing posts that had, according to the chief constable, to be backfilled daily by serving officers.

According to Audit Scotland, the cabinet secretary's failure to sort out the spat between Vic Emery and Sir Stephen House hampered the whole reform process, and it concluded:

"There have been difficult relationships between the Scottish Government, the SPA and Police Scotland

throughout the reform process. Considerable work is now required to build mutual confidence, trust and respect."

I do not believe that the cabinet secretary is the person to rebuild that trust, and I will conclude with one example of why that is the case.

Three of my constituents who are police staff are currently engaged in a long-running dispute over back pay. They won their case, but Police Scotland is refusing to settle and has employed a Queen's counsel at what my constituents fear is greater cost than the amount in back pay that they are owed. When I wrote to the cabinet secretary to ask him to look into the case, I received yet another dismissive two-sentence reply. In different circumstances, I might have been prepared to accept the minister's assertion, but his predilection for hiding behind the excuse of "operational matters", for not facing up to or tackling difficult issues, and for sheltering in the shadow of the police's reputation instead of leading policing in Scotland, leaves me in a position in which I simply have no confidence in him.

15:57

Roderick Campbell (North East Fife) (SNP): I would like to begin by reminding the Parliament of what the justice secretary said in evidence to the Justice Committee on 27 March 2012 at stage 1 of the Police and Fire Reform (Scotland) Bill. He said that the bill

"defines and clarifies the operational responsibilities of the chief constable more than ever before by making it clear that only the chief constable has direction and control of the police service".—[*Official Report, Justice Committee, 27 March 2012; c 1225.*]

He went on to say that the chief constable would be accountable to the Scottish Police Authority, not to the Scottish ministers, and that the bill provided the Scottish Parliament, for the first time, with the opportunity to scrutinise policing. There we have it—the reforms in the bill do not mean the cabinet secretary dictating to the chief constable. If that were the case, the public outcry would be overwhelming.

As has been said, armed police officers have been a long-standing feature of policing in Scotland; they are not new. As we know, Strathclyde Police had a standing firearms authority since February 2008. The decision on the deployment of firearms officers must be for the chief constable to make. We also know that standing firearms authorities are reviewed quarterly. Was the presence of armed police on the streets controversial? Yes. Was Police Scotland right to review it? Yes. Instead of that being welcomed, we have had continuing sniping. In addition, the fact has been ignored that the SPA has yet to conclude its scrutiny inquiry and that HMICS has not completed its independent review

of the use of standing firearms authorities. That work can be described as, at the least, a work in progress.

On stop and search—which, again, is clearly an operational matter—let us not forget the role of the Justice Sub-Committee on Policing, which took evidence on stop and search on 20 March, when Graeme Pearson was present. Assistant Chief Constable Wayne Mawson of Police Scotland said:

“Some sections of the media have reported it as a new thing; in fact, it is not a new thing at all. The reality is that stop and search volumes are down in the first year of Police Scotland. More searches were done under legacy force arrangements in total. They are down by about 4.6 per cent this year”.—[*Official Report, Justice Sub-Committee on Policing*, 20 March 2014; c 403.]

Since then, the SPA has done its job. In May, it reviewed stop and search and made sensible recommendations on the need for further training to ensure greater consistency, on proportionate use and on ensuring that people who are searched are made aware of their rights. I say with the greatest respect to Mr Pearson that that is surely a meaningful contribution.

The Justice Sub-Committee on Policing, which I have attended on more than one occasion, does a job of scrutiny, too, as we know. It is my recollection that, during consideration of the Police and Fire Reform (Scotland) Bill, the cabinet secretary was very flexible on the nature of parliamentary scrutiny and thought that that was a matter for Parliament to discuss and agree. Mr MacAskill is not a cabinet secretary who does not recognise the need for accountability.

Mr Pearson’s motion does not say it explicitly, but it is clear that as well as being unhappy with some of Police Scotland’s work, he does not think that the SPA is doing its job, either. Indeed, he has been reported in such terms in the newspapers. As we know, however, the SPA is required to place its annual report before Parliament. Its first report for the period to 31 March 2013 was published in November last year, but to my knowledge Vic Emery has not appeared before the Justice Sub-Committee on Policing since then. As a new report is, I presume, imminent, I encourage Mr Pearson to encourage the Justice Sub-Committee on Policing or the Justice Committee itself to take evidence on that, instead of indulging in his political antics today.

This is a dismal motion from a dismal Opposition. After the referendum, we were told by unionist politicians that it could not be business as usual, but today’s debate gives the lie to that. Let us recognise the cabinet secretary’s contribution to achieving record low crime rates, to building a modern police service and to preserving police

numbers at a time of real pressure on public spending—and let us reject the motion.

The Deputy Presiding Officer: We come to closing speeches. I call Annabel Goldie. Miss Goldie—you have a maximum of four minutes.

16:00

Annabel Goldie (West Scotland) (Con): This short but useful debate has highlighted two issues that are in themselves separate but which are from time to time interwoven: first, the creation of a single police force and secondly, the position of the Scottish Government in general and the cabinet secretary in particular.

The creation of a single police force was never going to be without controversy, and anyone who thought otherwise was naive. Some people disagreed with the proposal and found it to be it fundamentally flawed. Others, including my party, accepted the concept, but recognised that substantive measures would be required to allay legitimate worries.

The concentration of so much power, control and authority in one organisation that happened to be the law enforcement body of Scotland was always going to raise significant issues. In the absence of those issues being addressed, my party declined to support the creation of a single force, but it is quite wrong to equate that position with saying that Police Scotland is intrinsically flawed and is not doing a good job.

The difficulty for Police Scotland, the chief constable and his officers is that having a single police force without external accountability to, say, elected commissioners makes it political, as night follows day. If Police Scotland’s accountability is to a quango—the Scottish Police Authority—which is in turn accountable to the Scottish Parliament and the Scottish Government, how can Police Scotland be anything other than political?

The public, constituents and community organisations will raise their concerns with MSPs, and the only place to which we can bring those concerns is here to Parliament. We cannot say, “Oh no, we mustn’t do that, because the cabinet secretary and the chief constable won’t like it. That’s making Police Scotland a political football and interfering with police operations.” What complete and utter nonsense. That confrontational stand-off could have been avoided, bypassed and buffered by the introduction of elected commissioners. There is an accountability deficit, and the cabinet secretary has been in denial about it, through obstinately ignoring concerns and arrogantly dismissing critics.

Why does that matter, and what are the concerns? Let us start with stop and search. It has

emerged this year that there seems to be an informal target culture in the single police force, which over a one-year period to the end of March conducted nearly 640,700 stop and searches. That figure is three times higher than the number of searches that were carried out by the Metropolitan Police in London, where the population is over 8 million. How can that Scottish response be proportionate? The issue was raised in Parliament, and action was instigated. Moreover, only after it was raised in this Parliament was the routine carrying of sidearms by some officers revoked.

Police Scotland has had many successes. However, the increase of 1,000 additional officers from 2007 levels was not down to the cabinet secretary, who wanted only 500 more. It was down to the Scottish Conservatives. I am in no doubt that the extra officers have played a major role in reducing crime levels.

That success neither eliminates nor mitigates on-going concerns about accountability, which have to be laid at the feet of their genesis: the cabinet secretary. Add to that what I view as the shambolic proposal to abolish corroboration, and regrettably—it is regrettable—I find the cabinet secretary's stewardship of his portfolio unimpressive. I, too—and again with regret—urge him to consider his position.

16:04

Kenny MacAskill: As I said in my opening address, we have debated policing many times in the chamber in the past 18 months. As I have acknowledged, I appreciate members' interest in ensuring that the new arrangements are working well. The time is right to stop scoring political points at the expense of the excellent job that the men and women of our police service are doing day in and day out. I regret that that has continued during this debate.

Margaret Mitchell criticised the chairman of the Scottish Police Federation, Brian Docherty. He is elected by rank and file officers to represent their interests, so it is right that he should speak out for those brave men and women.

Elaine Murray traduced the Police Service of Scotland by defining its work as Strathclydisation while sitting next to a member—Graeme Pearson—who had many years' continuous service in Strathclyde Police.

Alison McInnes also criticised. We remember that although she champions the Liberal Democrats' community policing, the Liberal Democrats do not appear willing to pay for it when it applies to their own party conference.

Scotland is a safer place, and despite Westminster cuts, reform has ensured that crime remains at a 39-year low. [*Interruption.*]

The Deputy Presiding Officer: Order, please.

Kenny MacAskill: Police numbers are 1,000 higher than they were in 2007, and public confidence in our police is high and rising.

In recent weeks, Scotland has been on the international stage like never before. The world has watched as the Commonwealth games, the Ryder cup and the referendum have been run free from threat, issue or incident. That is directly attributable to a police service that delivers excellence and in which we can have confidence and pride. That is what people in Scotland care about. To say that there is no policing by consent is wrong.

The Police and Fire Reform (Scotland) Act 2012 established clear routes for scrutiny, engagement and oversight in Parliament in the chamber and, for the first time, through the dedicated Justice Sub-Committee on Policing. It established such routes at national level through the Scottish Police Authority, HMICS and, indeed, the Police Investigations and Review Commissioner. It did so at local level through local scrutiny boards with more elected members involved than ever before, as we heard from Kevin Stewart, and it did so at partnership level through emphasis on close engagement in community planning and the principles of joint working.

The appropriate checks and balances are in place and are working. We have seen the police and agencies respond through changes that the chief constable has made or through reviews that are to be carried out, and that are being carried out as we speak, by the SPA and HMICS.

There is always room for improvement, but that has been acknowledged by all parties, and work is under way to build further on the good relationships that have moved forward positively over the past 18 months. We are progressing that work against the backdrop of a system that we have built from the legislation that the Parliament overwhelmingly backed and which is working well. Let us collectively take pride in that and stop using our national police service as a political football.

International observers from around the globe are taking an interest in our effective approach to police reform. There have been recent visits by colleagues from countries including Sweden, Serbia, the Yemen and the Republic of Ireland. Indeed, only this month, the Irish Parliament praised our reform and said that it was "impressed" by the SPA and that it will look at it in greater detail.

We are a long way from the problems that are faced by our colleagues south of the border, where policing is being attacked, the morale of officers and staff is at rock bottom, and the profile of police and crime commissioners—whom Annabel Goldie has championed for many a year—is raised more through their indiscretions than through their positive impact on communities. They come at the expense of officers on the beat. I am sure that people in England and Wales would rather have a bobby than a commissioner.

Under my watch, there should not be and there will not be political interference in policing, as is rightly enshrined in the legislation that Parliament passed.

The SPA stands not simply for holding the police service to account, but for strengthening the very principle and practice of policing with the consent of the people of Scotland. I believe that that is something that we can all stand for. In doing so, collectively we must give the SPA the space to fulfil the role that it is moving into, and ensure that it is supported by the Justice Sub-Committee on Policing, which acts to give the national police service the oversight that it deserves and which came from discussions between Graeme Pearson and me.

Once again, I ask Parliament to join the people of Scotland in celebrating Scottish policing. Graeme Pearson has managed to unite the SPF, ASPS and the chief constable—but more in sorrow than in anger, from their point of view. In the strongest terms, I reject Mr Pearson's motion.

16:10

Graeme Pearson: I open my closing remarks by saying that nowhere in the motion is there an attack on Police Scotland. The responses that have been made today from the Government seats have addressed a question that was never asked. I did not invite from the cabinet secretary any interference in policing nor any direction of the chief constable—in fact, I invited the very opposite. His having created the mechanism for accountability—the Scottish Police Authority—I expected the cabinet secretary to ensure that that authority fulfilled its responsibilities, and ensure that the chief officer and his executive were answerable to that authority, on behalf of the people of Scotland.

The cabinet secretary is quite correct that after some discussions in Parliament and outwith the chamber he agreed that we could create a scrutiny sub-committee. Without that sub-committee, many of the issues that we are now discussing would not have come to a head in the chamber.

It is right that when one lives in a family with imperfections, one should not ignore them but deal

with them in an adult and mature fashion. That has been missing in the past 18 months to two years.

I am disappointed in Ms Grahame, who is well known for her sophistry.

Christine Grahame: Oh!

Graeme Pearson: Instead of dealing with the issues that we have mentioned over the past 18 months, she has maligned the person who stands here to heal some of the wounds that need to be dealt with. [*Interruption.*]

The Deputy Presiding Officer (John Scott): Order!

Graeme Pearson: Ms Grahame decided to attack me personally. I am sorry that she thinks that I am a one-trick pony. I have obviously been wasting my time for the past few years in the Justice Committee—

Christine Grahame: You're not on it!

Graeme Pearson: —and on the sub-committee. I thought that I had played my part in all the work that we did in those committees. I think that, on occasion, Christine Grahame appreciated my contributions, but our memories are short in that regard.

Kevin Stewart mentioned his 13 years on a police committee, which dealt with police board matters. It is right that many board members did their best in the circumstances, but there is no doubt that collectively we agreed that that kind of governance did not meet the needs of the 21st century.

I agreed that the creation of a new board, with strength and the ability to follow an investigative process, was the way forward. That was not delivered. The board has looked like a reviewing company—a company that receives reports and ticks boxes. When I attended a board meeting, after five hours I gave up the will to stay, and left to deal with other matters.

Operational independence is a concept. It is a concept that has been alluded to and which was played out in 1960. According to that review, operational independence was a concept that ensured that the police could investigate and report, and, in the context of England and Wales, prosecute suspects without fear or favour. It was never meant to be a principle that allowed a chief officer to conduct business according to his or her wishes without endorsement by some oversight body. The problem for working officers is that controversy will occur without public debate in a forum or a commonly accepted knowledge of what a police force exists to deliver.

There has been controversy about target setting. I attended a meeting at one of the police divisions with another committee member and

spoke to the management. I was very impressed with what they had to say about their arrangements. As committee members, we were given direct and clear evidence that officers on the street felt under pressure to deliver on targets, to engage in stop and search and to conduct certain parts of the policing outcome. That situation needs to be known about and either endorsed by the authorities as the right way forward, or the chief constable must be persuaded that there is a different way to go about delivering business. That is what the board, not the justice secretary, exists to do. I have always accepted that.

However, equally, in this context, where the cabinet secretary indicates that he will not interfere, I am still left in a quandary: why does the chief constable report to him about carrying of firearms, but not to his own board? Christian Allard mentioned that the arrangement is already in place. I know from speaking to people from the northern joint police board that they had no knowledge that they had authorised the carrying of firearms on routine duties, and neither did those on the Strathclyde board.

Kevin Stewart: Will Graeme Pearson give way?

Christian Allard: Will the member give way?

Graeme Pearson: I am sorry, but I will not.

Reform has always been a matter of controversy and it was always going to be difficult; there is no doubt about that. Much has been achieved by Police Scotland in the past 18 months of which we can all be proud. However, there is no saving grace in misrepresenting what we are trying to do in the chamber by holding the Government to account and asking it to deliver on the cabinet secretary's promises to ensure that the Scottish Police Authority could hold the chief constable to account for policing. That is what we have tried to deliver over the past two years. It is frustrating that we have not managed to do that. *[Interruption.]* I hear Mr Swinney say that on the front bench. *[Interruption.]*

The Deputy Presiding Officer: Order.

Graeme Pearson: We have not managed that and because we have not done so we have lodged a motion, which is the only option left to us when we are not being listened to, our suggestions are being ignored and our approaches are being maligned and misconstrued. I hope that, after the debate, SNP members will return to their rooms and reconsider how they represent the matters that we have raised.

There is a question about falling crime. Crime is falling: I am pleased to live in a community that is crime free, and that crime across Scotland is falling quickly. However, members must bear it in mind that in America it is claimed that crime has

fallen by 64 per cent. Huge falls in crime are also claimed across Europe. Therefore, we need to understand what we expect of our police service. I look forward to a police service that polices Scotland with the consent and the full confidence of everyone in the chamber, and that is delivered by the police authority on behalf of our communities.

Scotland's Future

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-11116, in the name of Johann Lamont, on Scotland's future. I invite members who wish to speak in the debate to press their request-to-speak buttons now or as soon as possible.

Johann Lamont, you have 10 minutes or thereby. Members will have to forgive me, but we are extraordinarily tight for time, so we will not be able to call the final speaker.

16:19

Johann Lamont (Glasgow Pollok) (Lab): I hope that we can have a productive debate. The previous debate became very aggressive and unpleasant. We need to find a way of moving on to ensure that we see this as a creative and open place. The intention of the motion is to allow us to start exploring the possibilities and the options that this Parliament might progress over the next two years.

We know that we made history in Scotland on 18 September. We made a significant decision and, for the first time, it was a democratic decision of the people of Scotland that we should stay strong in the United Kingdom. We ought to resist the temptation to rewrite history. Instead, we should grasp the opportunity together to shape the future—a future of a strong Scottish Parliament inside the United Kingdom, responding to the priorities of people from across the country.

I know that we all remember the referendum debate in different ways, with different emphases and priorities. On one side, people looked at the issue of powers and at how to make the Parliament work effectively inside the United Kingdom, looking at what powers are consistent with the pooling and sharing of resources across the United Kingdom—the very heart of the argument for the United Kingdom. On the other side, there was discussion and debate about how we create a fairer and more equal Scotland, in which the national health service and childcare featured strongly as key areas that are precious and significant to people. People on both sides of the debate were wrestling with ensuring how to make progress on those issues—we know that they are significant for people far beyond this chamber.

It is important that we accept the result. We should not attempt to rewrite what that result meant. We should resist the temptation to suggest that the people who argued for yes were somehow robbed by the result, that people were duped or tricked or that we presume that people voted no not because they actively wanted to stay in the

United Kingdom but because they were somehow fooled. It serves no one in Scotland well to encourage that idea.

We should not seek to redefine the vow that was made by the parties arguing to stay in the United Kingdom or try to misrepresent what it was talking about. I contend that it is not acceptable to identify powers that were not named in the vow of commitment—as the First Minister has done—in order to establish a sense of bad faith. That is simply not acceptable.

Annabelle Ewing (Mid Scotland and Fife)

(SNP): Will Johann Lamont clarify what she thinks that Gordon Brown meant when he talked about powers as near to federalism as possible in the context of the United Kingdom?

Johann Lamont: First, clearly he did not support independence and secondly, he believed in a strong Scotland inside the United Kingdom, sustaining the pooling and sharing of resources across the United Kingdom.

I was surprised that the two amendments to my motion were simply about powers, rather than being seen as an opportunity to talk about the other side of the agenda that I have identified. I understand that some people were committed to a yes vote with all their hearts and I say to them that there is a corrosiveness and cynicism in establishing a sense of bad faith in the mind of the public. All those new people who have come into politics deserve to hear better than that one whole side of the argument was entirely motivated by bad faith.

Patrick Harvie (Glasgow) (Green): I agree with the sentiment that Johann Lamont expresses about people's engagement and our need to respect that and take it seriously. Does she agree with the general thrust of my amendment—whether she is technically able to support it or not—that we need people not just to be involved but to have a chance to shape the process and that we must avoid it becoming a stitch-up between political parties?

Johann Lamont: Certainly, the work that we did on the devolution commission meant that, for more than two years, we were engaged with civic Scotland, the trade unions and the business community. All the proposals have been out there and people have been thinking about this over a long period. Of course we want people to be engaged, but equally we have a timetable that Patrick Harvie would reasonably expect us to deliver.

I understand the dilemma of some people in the Scottish National Party. By having to accept the democratic decision they have then to give meaning to that decision. It means that the focus must be on making devolution work in itself. The

reality is that if people are not willing to let go of their constitutional project, the Parliament will be seen as a stepping stone, with the decision of the people to stay in the United Kingdom becoming a bridge to the position that the people soundly rejected. We need to move beyond that. We need to look at how we make this place work, rather than constantly talking about further powers.

I have been very clear: there will be more powers for the Parliament. The vow is something that I keep seriously in mind. It is, of course, consistent with our being part of the United Kingdom. However, my other argument, which we will not finish discussing today but which I hope that members will treat with respect, is that we must pursue the agenda of a fairer, more equal Scotland. Ever since the result of the referendum, I have said that where we can work together we will do so. We will work on securing powers, but we also need to work on the other side of the agenda.

Our commitment is to work with the Scottish Government and the Parliament where we can and to open up our thinking on actions and priorities to the people throughout Scotland who have become energised. I make that commitment, and I hope that other members can do so, too. The challenge for the Opposition is not to oppose for opposition's sake; the challenge for the Scottish Government is not to focus simply on what might be, if we had more powers, and instead to focus on what it can do now.

Scotland has been on pause for the past two years, and it cannot be acceptable that we have to wait even longer for agreement on more powers. We understand that, pre-referendum, to make their case people had to say that only with independence could we make a difference. However, in the challenge of a post-referendum Scotland, "only with independence" is not good enough. We need to hear more about what can be done. We need to hear more about the art of the possible, right now.

In the next period, we need to refocus on a politics that has driven change throughout generations: a politics of justice—social, economic, environmental and educational—a politics of fairness and equality of access and opportunity, and a politics of integrity, whereby we seek to be open and honest in debates, respecting one another where we agree and where we disagree.

I regret that, in the amendments, the response to the challenges that we face seems to be to cling desperately to the language of the referendum battle, with a focus on the constitution rather than on the changes that we can make right now. Our motion was deliberately written in a wide enough

way to offer an opportunity for us to come together and find common cause.

In the time that I have left, I will focus on two issues in that regard. First, the extent to which people care about the national health service and are concerned about any suggestion that it might be privatised was clear throughout the referendum period. We know that people want the NHS to work in their interests. We also know that there are huge challenges. It is not good enough to create the impression that everything in the NHS is fine and we do not need a review or any coming together to challenge that view.

We have said that we should come together, get rid of the party politics—the politicking and the dividing lines—and show that we are willing to listen to patients, staff in NHS organisations and people throughout the country, who are desperate for us to wrestle with the big problems in the service and find solutions. I hope that the Cabinet Secretary for Health and Wellbeing will respond to our offer to work co-operatively.

Secondly, childcare was a feature of the referendum debate. All members know that there are things that need to be done to support people in that regard. It cannot be good enough that people spend as much on childcare as they spend on their mortgages or that they have to consider whether they can afford to work, especially when we understand the economic importance of good childcare, as well as its social and educational importance.

Our suggestion is that we take a simple step, right now, by offering a childcare place to mums who are going to college. We can do that together, right now. We can continue together on a longer journey as we seek to cap the cost of childcare for families, using our abilities in the Parliament and beyond to make a difference.

In both areas, we can rise to the challenge. I hope that other members will think so, too. The reality is that, over the past two years, we have spent time, money, energy and effort on settling the decision on the constitution. We will put further energy into ensuring that we craft powers that make this place even stronger, but my plea is that in the next two years we spend as much time, money and energy on making visible progress on equality and working together on the big issues that were evident across the country during the debate.

The Deputy Presiding Officer: You must close now, please.

Johann Lamont: Let us let go of our own political projects, so that we can have real debate where we differ and real creativity where we instinctively agree. Let us resist the counsel of despair that means that this place will simply be

about rerunning a debate that was decided on 18 September. Let us have optimism and, over the next period, harness the energy that we saw in the referendum debate, to deliver equality and real progress for people throughout the country.

I move,

That the Parliament recognises that the settled will of the people of Scotland is to make devolution work with a strengthened Scottish Parliament within the United Kingdom following the referendum on Scotland's constitutional future on 18 September 2014, and acknowledges that people on both sides voted for change and that it is now incumbent on this parliament to work together to deliver a fairer, more equal Scotland.

The Deputy Presiding Officer: I call Alex Neil to speak to amendment S4M-11116.1, in the name of Nicola Sturgeon. You have up to seven minutes.

16:30

The Cabinet Secretary for Health and Wellbeing (Alex Neil): Much has rightly been made of the remarkable shift that took place during the referendum campaign. The people of Scotland led an energised and engaging debate. The future of our nation was discussed with passion, vibrancy and wit across the country, and the balance of power shifted from politicians and political institutions to the people of Scotland. Ninety-seven per cent of those who were eligible to vote made sure that they were registered to vote and 85 per cent turned out to make their choice—a record for any election or referendum in these isles. That unprecedented engagement has fundamentally changed the political landscape in Scotland.

I accept—the Scottish Government accepts—that independence was not the choice, at that moment, of a majority of the Scottish people in the referendum. However, a no vote was not a vote for no change. Between the 45 per cent of the Scottish people who voted yes and those who were persuaded to vote no on the basis of the “vow” to deliver significant new powers for the Scottish Parliament, there is a powerful majority for substantial further constitutional change in Scotland. The Smith commission provides an opportunity to deliver that change, and the Scottish Government will work in good faith with Lord Smith and the other parties involved to secure the best possible deal for Scotland.

In the past few days, we have seen compelling evidence of what the people of Scotland see as real change. For example, in a Panelbase poll that was conducted last week, 66 per cent of respondents backed extensive new powers for the Scottish Parliament; 71 per cent backed “Control of all taxation”; 68 per cent backed

“Control of oil and gas tax revenues generated in Scottish waters”;

and 75 per cent backed

“Control of the welfare and benefits system”.

Our engagement with the Smith commission will therefore start from a position of arguing for change that lives up to the expectations of the Scottish people—change that will transform the ability of the Scottish Parliament to improve the economy and create jobs by giving us real levers to match economic policy to the specific circumstances of Scotland. We will demand change that will give the Scottish Parliament the tools to make Scotland a fairer and more equal society and protect us from unfair policies that are imposed from Westminster. We will also demand change that will enhance Scotland's voice on the world stage and allow us to put forward Scotland's interests where key decisions are being made.

A minute ago, I referred to the so-called “vow” that was made by the unionist parties in the last week of the referendum campaign. That vow sets a test of good faith for the unionist parties' participation in the Smith process. The parties that opposed independence must enter the Smith commission process ready to move significantly beyond the limited powers that they offered early in the campaign and later in the campaign. They must demonstrate that they can live up to the language of “home rule”, “near federalism” and “devo max”. They must show that they are serious about giving this Parliament the tools to improve Scotland's economy, support jobs, enhance our voice in the world and make Scotland a fairer, more equal society. In our view, the proposals that are currently on the table from Labour, the Conservatives and the Liberal Democrats fall well short on all counts.

Johann Lamont: The cabinet secretary is four minutes into his speech. At what point is he going to talk about using the powers that he has to create a fairer, more equal Scotland instead of rehashing an argument that we have had for the past two years?

Alex Neil: Johann Lamont clearly has not been listening to my speech. I certainly hope that we get the powers that mean that we do not need to implement the welfare policies that were outlined at the Labour and Tory conferences, which will be extremely damaging to the people of Scotland.

We must have the levers that are most fundamental to strengthening our economy and creating jobs. The current proposals leave most of the decisions on welfare and social protection in the hands of a Westminster Parliament that imposed the bedroom tax on Scotland and mean that the Scottish Parliament would be responsible for only between 20 and 30 per cent of the taxes

raised in Scotland. That is not good enough for us or for Scotland.

I started my remarks by highlighting the energy that the public and civic society brought to the referendum debate and campaigns. That conversation with the people of Scotland did not end with the referendum. As Patrick Harvie rightly says, their voice must be heard in the work to deliver additional powers for the Scottish Parliament. We will support his amendment to our amendment because we fundamentally believe in what it says.

I am also delighted that Lord Smith has made engagement with wider civic society and the people of Scotland a priority in the work of his commission. I encourage everyone to make their voice heard as part of that process, because the people of Scotland are the guarantors of real change.

The Smith commission process sets a challenge for all the parties in the Scottish Parliament—*[Interruption.]*

The Deputy Presiding Officer: Order.

Alex Neil: That challenge, set by the Scottish people, is to deliver real change that will improve their lives, to bring decisions closer to the people that they affect and to work together across political boundaries.

Only by individually and collectively rising to those challenges can we secure the best deal for Scotland. Parties that fail that challenge, that lack ambition for Scotland or that fail to listen to the voices of people and grass-roots organisations in Scotland will pay a heavy price if they ignore the demands and wishes of the Scottish people, including people who voted no as well as people who voted yes.

I move amendment S4M-11116.1, to leave out from “recognises” to end and insert:

“recognises the result of the independence referendum; agrees on the need for a strengthened Scottish Parliament; acknowledges that people on both sides voted for change; notes the response to a recent Panelbase poll in which two thirds of respondents backed extensive new powers for the Parliament; agrees that the language, ‘devo-max’, ‘home rule’ and ‘near federalism’, used during the referendum campaign has raised expectations of significant change; agrees that the process commenced by The Smith Commission offers a real opportunity to deliver substantial further powers and responsibilities for the Parliament, and agrees that it is now incumbent on all parties to deliver on the clear promises made to the people of Scotland to ensure that Scotland has the powers needed to improve its economy, support jobs, enhance its voice in the world and make Scotland a fairer, greener, more equal society.”

The Deputy Presiding Officer: I call Patrick Harvie to speak to and move amendment S4M-11116.1.1. Mr Harvie, you have up to five minutes. Less would be more, please.

16:37

Patrick Harvie (Glasgow) (Green): I guess that, if we want to find the atmosphere that will allow us to explore the common ground, we all have a little way to go.

In a couple of days’ time, I will address my party’s annual conference. I am looking forward to having the opportunity to thank my party colleagues new and old, whether they have been involved in politics and activism for a long time or have just recently become engaged, for the spirit in which they conducted themselves during the debate.

Just as, over the years, I have found common ground on a range of different issues with the Labour Party, the Liberals, the SNP and even—once in a while—the Conservatives, my party had to find it in itself to campaign for the clear majority view in the party supporting a yes vote without ever disrespecting, or undermining the friendship that we have with, those in the party who voted no. There are people who voted no and have just joined the party as well, and I am really glad that our presence on the political landscape is still able to bridge that divide.

It was possible to take a clear, passionate and articulate point of view in the debate without disrespecting people who voted a different way. In my experience, the bulk of the debate was conducted in that way.

That wider public engagement—that re-engagement, that connection with politics—came about because there was a great big idea that transcended traditional party lines. It transcended the identity of any political party or political figure, large or small. The danger that we are in at the moment is that we could pull up the drawbridge again and say, “That’s that over and done with, the decision’s been made and politics is for politicians and the political parties again.” That is a profound danger and, whether someone voted yes or no, whether they are a campaigner, an activist, a journalist, a voter, or a writer about Scotland’s history or its future, it is a danger that we absolutely must avoid.

I am very happy that my party was invited to send a representative to the Smith commission, and that it has agreed that I am to be that representative. I am happy to have the chance to take part in that discussion, but let us be realistic. The breakneck timetable that has been decided on and which now has to be lived up to—it cannot be broken without betraying the trust of the people who listened to that promise—will allow next to no opportunity for people outside the political bubble to shape the process and the outcome, to have their say, be heard and make a difference. People turned out to vote in record numbers because they

knew that the decision would make a difference in a way that all too often, many people feel, elections no longer do. If we want people still to feel that there is a reason to get involved—that their action and their voice can make a difference—we must avoid the view that the process is about political parties reaching a deal, being satisfied with the deal that they have made and simply implementing it.

There is still time. The time that is available to us for meaningful public participation is not the time in the run-up to 30 November, when Lord Smith will publish his report. The time that is available will come afterwards. A few weeks for people to fire in their views by the end of October, with a report being written by the end of November, is not enough time. However, it will be months before legislation passes through, presumably, both Parliaments to implement whatever comes out of the process. We should use those months creatively in ensuring that this is not just about meeting the needs of the people inside the political bubble; it is about taking away a little bit of power from ourselves—away from the political parties, big or little—and giving that power back to the public.

Is there room for common ground? Of course there is, but only if people on both sides of that yes-no divide are willing to move towards the common ground. We will not find the common ground if people dig in their heels and say, “This is what we’ve published already,” or, “This is what we need to live up to the vow.” If either side digs in their heels and says, “This is what has to happen,” we will not reach the common ground and we will have missed that opportunity.

If we begin with a discussion—not just between the five political parties and Lord Smith, or between the two Governments—on the purpose, as Johann Lamont rightly said, of sharing the wealth of the country more fairly, strengthening local communities and local economies to make decisions for themselves and speeding the transition to a sustainable Scotland, I believe that we will end up with a compelling set of powers that may not be independence and may well be beyond what some other people have already published but which will meet the needs of the people of Scotland.

I move amendment S4M-11116.1.1, to leave out from “a real opportunity” to “Parliament” and insert:

“an opportunity to deliver substantial further powers and responsibilities to the Parliament but that the commission must be followed by a period of meaningful public participation, given the severely limited time available for the public to engage with the commission itself”.

16:43

Jackson Carlaw (West Scotland) (Con): I offer the sympathies of the Conservative Party to the family and friends of Angus Macleod, who died yesterday. He was, for 35 years, an unchanging presence in Scottish politics at *The Times* in Scotland. I mention him now because on the issue of the constitution, he was an inquisitive, passionate, informed and rigorous journalist and I think that he will be missed by all members on all sides of the chamber. [*Applause.*]

We will support the Labour motion and we will not support either of the amendments. I congratulate the cabinet secretary on reading out the speech that appeared to have been prepared for him so adroitly, if without his usual passion. However, I wish to talk directly to the Government amendment. First, it says that we recognise

“the result of the independence referendum”.

Does the Scottish Government recognise that result? The Cabinet Secretary for Justice was out in Portobello on Saturday at a yes Scotland campaigning stall, campaigning for independence. I am not quite sure how one recognises the result and then campaigns away for independence as if the referendum were still to take place. Recognising the result means respecting it and moving on to the subsequent agenda.

The amendment then asks us to note

“the response to a recent Panelbase poll”

in the same sentence as the previous phrase. For goodness’ sake! We have just had a vote of 2.6 million people—85 per cent of a 97 per cent registered electorate—and we are asked to give almost equal weight to a Panelbase poll. There is no need to do that when we have had the most decisive political result in living memory, and certainly in my lifetime. There was an 11 per cent difference between yes and no in that poll, which is greater than anything I can recall, and on a huge turnout.

Thirdly, the SNP’s amendment says that we are

“to deliver on the clear promises made to the people of Scotland”.

Well, really. I have here a yes Scotland campaign leaflet, which says:

“Win an iPad”

and

“your chance to win one of 10 iPads.”

I looked up the rules, which said:

“The winners will be selected at random at 10:00 on Thursday 18 September 2014.

The winners will be informed via email within two weeks ... and the names of winners will be available on the Yes Scotland website.”

Three weeks later, the names are not there. The campaign cannot make small promises and not keep them and expect us to look to the Scottish Government and have it honour bigger promises.

We will debate the findings of the Smith commission when we return from recess. I have lodged a written question asking what assurances the Scottish Government will give that civil servants will not be used to support Scottish National Party political representatives in the work of the commission. The SNP is there not as *primus inter pares*, but on an equal footing with other political parties to contribute to the work of Lord Smith's commission in the period ahead.

I will deal with two things in my final couple of minutes. First, I will develop something that I said in an earlier debate, which is that we must focus not just on the transfer of powers to this Parliament but on how we discharge those responsibilities and powers when we get them. Although representatives from the various political parties are working with Lord Smith, it is incumbent on this Parliament as a whole, across all parties and members, to prepare for the work of looking at exactly how we will ensure that the Parliament will undertake effective scrutiny and discharge those additional responsibilities effectively.

The worst thing of all would be for those powers to arrive here without us having properly and objectively, and without a party-political focus, considered how we will exercise that responsibility. We need to ensure that the people of Scotland not only see us with those responsibilities, but see us using the powers effectively and well for their benefit.

The Deputy Presiding Officer: The member is in his final minute.

Jackson Carlaw: Finally, I will pick up on the sentiment that underpins Johann Lamont's contribution to the debate. What her amendment says about acknowledging

"that people on both sides voted for change and that it is now incumbent on this parliament to work together"

is not about powers coming to the Scottish Parliament, but about the Parliament's mindset.

Johann Lamont spoke about health in particular. A year ago, as the Scottish Conservative health spokesman, I said that we would set aside supporting the changes that we have seen down south coming from both the Blair and coalition Governments in favour of a publicly owned, funded health service here in Scotland. I would like to work with the Labour Party on developing those ideas. I am slightly concerned about simply divesting to a panel of experts the responsibility for the development of health policy, because

ultimately we will be accountable for it and will have to deliver it.

The Deputy Presiding Officer: The member must close, please.

Jackson Carlaw: However, we as a Parliament should equally be prepared to develop that sentiment in the time that lies ahead. We must now all work to ensure that Lord Smith's commission works and that the proposals come forward, but as the Parliament we are effectively here to deliver those proposals thereafter.

16:48

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): In case there is any doubt, I say at the outset that I accept the result of the referendum. It was of course hugely disappointing for those of us who campaigned for a yes vote, but we placed our trust in the people of Scotland to make that decision and we have to respect the result. However, some of us, including me, represent areas that voted yes. I will certainly remember that in the work that I do as MSP for Cumbernauld and Kilsyth, in which there is majority support for independence.

Despite my disappointment with the outcome, I have to say that the referendum campaign was the most invigorating and exciting political effort that I have ever had the privilege of being involved in. It resulted in massive political engagement that I have never seen before—the 85 per cent turnout testifies to that.

There is now a real interest in the political process—I could literally hear it in the streets during the campaign and I think that it continues. I believe that people in Scotland want, more than ever before, to be involved in the processes that affect their lives. One of the questions before us is how to sustain and foster that sense of civic engagement and how to empower people. I very much agree with Patrick Harvie's points about the necessity of achieving that.

During the campaign, there was a clear sense that people want greater efforts to tackle inequalities in Scotland. In the on-going debate about Scotland's future, we need to ensure that the Parliament is equipped to rise to that challenge. During the campaign, much was made of the powers that are coming to the Parliament through the Scotland Act 2012. Earlier today at the Finance Committee, Professor David Bell presented a paper to us that states that the 2012 act

"implicitly leaves income redistribution as a reserved issue for the UK Government",

through the Scottish rate of income tax. We saw at the Tory conference that the Tories intend to redistribute income only up the way.

The Scotland Act 2012 also leaves decisions about social security out of our hands. The welfare reform process is set to push 100,000 more children in Scotland into poverty by 2020.

Johann Lamont: Will the member take an intervention?

Jamie Hepburn: I am afraid not—I do not have much time.

One hundred thousand disabled Scots will lose an average of £1,000 as a result of the switch from disability living allowance to the personal independence payment. If we are to meet the challenge of making Scotland a fairer place, we need to consider how the Parliament can be equipped with the tools to do that. The process of consideration of further devolution gives us the opportunity to do so.

During the referendum process, it was clear that there is huge appetite for the Parliament to become more empowered to make decisions for Scotland. There is overwhelming support for significant new powers for the Scottish Parliament. In the referendum, 1.6 million people—45 per cent of those who voted—voted for independence, so they were clearly voting for such change. The Ashcroft poll to which the cabinet secretary referred showed that 25 per cent of those who voted no did so on the basis that they believed that it would mean extra powers for the Scottish Parliament. It remains to be seen how far that will be the case and whether the demands will be satisfied, but we know that those people, too, were voting for change.

If we are serious about the people of Scotland being sovereign—I have heard the leader of the Labour Party refer to that previously—their voices must be heard in the debate. A recent Panelbase poll shows that 66 per cent of people believe in devo max and that there is substantial support for the devolution of a range of specific policy areas that are currently reserved and that could make a difference to our ability to improve lives in Scotland. For me, the Smith commission represents an opportunity to meet the aspirations of the Scottish people for enhanced powers in the Scottish Parliament. I hope that the Parliament will unite behind that and that the Smith commission can deliver.

16:52

Hugh Henry (Renfrewshire South) (Lab): The motion and the Government amendment refer to a “more equal” society. I will concentrate on that. There is no doubt that it is frequently mentioned in

the Parliament. It definitely sounds good and as though it is the right thing to say but, unfortunately, although we might talk a fine game about fairness, equality and social justice, the inconvenient truth is that we do not deliver.

We sometimes spend an inordinate amount of time criticising one another and, frankly, we do not spend enough time praising what others have done. So, unusually for me, I want to put on record my thanks for everything that the SNP Government has done for me and my family. While I am at it, I suppose that I should register the thanks of all MSPs, every MP in Scotland, senior civil servants, the highly paid senior staff in local government and the health service, senior managers in colleges and universities, lawyers, doctors, accountants and the well-paid staff in the private sector. We all have cause to celebrate what has been done for us.

Our council tax has been frozen since the SNP came to power and we now all have free prescriptions. Our sons and daughters no longer have to make any financial contribution at any point for their university education, and that applies even to those who have the money and who choose to pay for their child’s school education. More extensive student loans are available to students, even the better-off, and those of us with young children will no longer have to pay for school meals in primaries 1 to 3. What have we got to complain about?

I suppose that, as long as we say that we are committed to a fairer and more equal society, that helps us to explain all that to our constituents, particularly those who have not gained anything. It is a shame that low-income households who receive full council tax benefit have not received an extra penny in all this time, but I suppose that that is a price worth paying to ensure fairness.

Those who are on low incomes or with certain chronic health problems have not gained at all financially from free prescriptions, but no doubt they will rejoice in our satisfaction, even though there may be less to spend on cancer treatments. I know that it may be frustrating for those from poorer backgrounds who might no longer be able to access a college place or for poorer students at university who might be angry at cuts to maintenance grants, but surely they recognise that we are building a fairer society, even though no extra money has been spent on them.

Low-income families who already receive free school meals in P1 to P3 will not receive a single extra penny with the new policy of free school meals, but everyone has to do their bit for a fairer and more equal society, and I am sure that they will not mind that education budgets across the country are being squeezed at the same time.

Bus fares have had to rise because of cuts by the Scottish Government to the grant that is given to bus operators to compensate for free concessionary travel. I know that it is causing hardship to hard-working commuters who rely on buses to get to work and who do not have access to a chauffeur-driven car, but they need to remember that everyone has to share the burden for a fairer and more equal society and that someone has to pay for the free concessionary travel.

In short, let us take satisfaction from everything that has been done for members in this Parliament and the thousands like us, and let us recognise that the talk, as opposed to the action, about fairness and equality has been supported by a broad coalition of Scottish civic society, and that for that we should be extremely grateful. Let us tell our poorer constituents who have not gained a single penny that today we are renewing our commitment to a fairer and more equal society, and that although they might not see any material benefit we are truly sincere in what we say, as always. It is just that we would rather be judged on our words than on our actions.

16:56

Willie Rennie (Mid Scotland and Fife) (LD): The referendum was the biggest democratic experience of my life. It gave the biggest democratic endorsement of any decision ever taken in this country, and we therefore need to respect that decision and ensure that we follow up on the range of commitments that we gave on both sides during the referendum, so that the country comes together as a result.

The debates and discussions during referendums are often more instructive than the actual result. There was anger and frustration, and there was also hope and ambition, and we have to capture the massive energy that existed during the referendum to change the way that we do politics and to ensure that we change Britain in the way that people expressed a desire for.

As Johann Lamont quite rightly said, we also need to focus on the big issues that people were talking about during the referendum: fairness, economic growth and opportunity for everyone right across society. We need to meet those challenges, and that is why this is a massive opportunity for us all to come together. For the first time ever, we have all parties in this Parliament, in Scottish politics, together in the one room. That has never happened before and in itself is a massive opportunity. Bringing together the 45 and the 55 is also an opportunity to ensure that they are engaged in the discussion going forward.

I would say that this country has never been better informed about its arrangements than it is now. We are in the best place possible to make a decision about our constitutional future. After a three-year debate, people know more about their constitution than they could ever really want to know, and that gives us a great opportunity to come up with a sustainable constitutional settlement that includes wider society, as it must do.

We must also ensure that the forces of constitutional conservatism that have defeated us on House of Lords reform, the alternative vote and various other reforms are defeated. We must use the energy of the referendum to make the big changes that people want. That is why I am delighted that Mike Moore and Tavish Scott have agreed to serve on the Smith commission. Those two individuals will follow through on the commitment that we gave in the referendum to ensure that there is substantial change. Mike Moore has a good track record on working across party boundaries to deliver the change that people want in this country.

We must ensure that powers are transferred to Scotland and down into communities. People in Shetland are as suspicious of Edinburgh as they are of London, and we need to make sure that we reflect the diversity that exists within Scotland as much as the diversity that exists in the United Kingdom. That is the commitment that the Liberal Democrats will give in the process. It is a big opportunity. Let us seize it.

16:59

Maureen Watt (Aberdeen South and North Kincardine) (SNP): It is interesting to have this Labour-led debate and to hear Labour members' perspective on the outcome of the referendum and where Scotland goes from here. We have heard four unionist speakers today and they have made not one mention of one more power for this place. They have talked only about the powers that this "parish council"—to use Tony Blair's description—already has.

There is absolutely no doubt that the better together parties went into a blind panic when they were confronted by the polling evidence that put yes in front of no. Until then, the better together campaign was quite confident that it would win comfortably.

Johann Lamont: Will the member give way?

Maureen Watt: I have only three minutes, so I will not.

A comfortable win for better together is what was suggested by the early polls that put support for independence at about 30 per cent. Because of

that, the Westminster parties felt that there was no need to put devo max on the ballot paper. It was, therefore, truly remarkable that so many Scots made the journey to yes, and I believe that that was the position of the majority until the vow was made.

Jackson Carlaw: Oh, come on.

The Deputy Presiding Officer: Order.

Maureen Watt: The vow was a panic reaction to the polling evidence, as was the intervention of Gordon Brown, who seemed to be making promises on the hoof.

The unionist parties would have loved the size of no vote that was suggested by the early polls, which would have resulted in the maintenance of the status quo and allowed them to return to their self-serving political elite in Westminster.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): And you are not self-serving?

The Deputy Presiding Officer: Dr Simpson, the speaker will be heard.

Maureen Watt: However, as others have mentioned, the huge turnout and the 45 per cent-55 per cent split, along with the promises that were made by better together, means that a rocket has been put up the red and green benches in Westminster, and nothing will remain the same in terms of governance in Scotland. I deplore the way in which the issue of more powers for Scotland has been linked to changes in England. That is a political game being played out before a Westminster election.

I await the delivery of devo max, as promised by members from all parties. Rory Stewart said that devo max will be delivered “without any conditions”. Gordon Brown’s statements have been quoted already. Danny Alexander said that we will get “home rule”, which, to the people of Scotland, means everything except defence and foreign affairs.

I look forward to this place having the power to ensure that, in future elections, our eloquent, articulate and well-informed 16 and 17-year-olds have the vote in all elections. I look forward to future generations benefiting from a decision to use finite resources—which are now being exploited—to finance the creation of a sovereign wealth fund.

The Labour motion speaks of the “settled will”. Yes, the people of Scotland have spoken. However, as others have mentioned, hundreds of thousands of people are now engaged and invigorated by the democratic process as a result of the referendum and will not let Westminster politicians continue as before. On these benches, we will continue to fight for what is best for the

people of Scotland. However, the ball is now firmly in the court of the Westminster parties, and the eyes of Scotland are watching to see how they play it.

17:03

Rhoda Grant (Highlands and Islands) (Lab): I add my voice to Johann Lamont’s plea to take the politics out of the NHS. Probably one of the lowest points in the referendum campaign was when the SNP suggested that people should vote yes to stop the privatisation of the NHS—even though, all the while, the SNP was itself increasing privatisation.

The NHS is a national treasure. It is one of the few policy areas where cross-party support is guaranteed. We all know that the NHS is creaking at the seams. Should it fail, we all fail. That is why we need a root-and-branch review of the NHS to ensure that it is fit for the 21st century.

We need to include community care in that review. Local authority budget cuts mean that councils are now charging for services that we always thought would be free. If people cannot receive the assistance that they require, they inevitably end up in emergency care. That puts a strain on accident and emergency departments. We now have weekly press stories of doctors warning of the crisis in their A and E departments.

We are also seeing an increase in bedblocking where there is no care available in the community. I recently met with the Crossroads charity in the Western Isles and was told that, if it is to meet its waiting list demand, it would have to double its service provision. However, it does not have the resources—or, indeed, the contracts—to do that.

We need to do something now. This is not a future problem; it is a current crisis in the NHS.

Service cuts have especially impacted on remote rural areas, where it inevitably costs more to deliver services. In Highland, endoscopy patients from Skye now need to travel to Inverness, which is a round trip of more than three hours. Pregnant women in Argyll need to go to Glasgow for ultrasound scans. Depending on family circumstances, that is hard enough when the scan is routine, but how difficult is it if there are complications? That is not shifting the balance of care closer to home; it is asking patients to set out on an expedition to access the care that they require.

While contracts are being issued to the private sector, there is also the creeping privatisation of NHS boards having to put more work to private contractors because they simply cannot cope otherwise. We read press releases about locums being flown in at eye-watering costs because of

staff shortages. That is a false economy. We know that private care costs more, as does the reliance on bank and agency nursing.

We need a root-and-branch review of the NHS. We need an NHS that responds to local need, delivers services in a way that is compatible with geography and is designed in conjunction with local people. That is real devolution. We need an NHS that can cope with future pressures while providing compassion, and an NHS that is good enough to attract and retain the best practitioners in the world.

I appeal to the Scottish Government to heed the plea: we owe it to the whole of Scotland to deliver an NHS that is fit for the 21st century.

17:06

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): The Scottish independence referendum of 2014 delivered two clear outcomes: 45 per cent of Scots want total independence and all the powers of a normal nation; and 55 per cent want to remain part of the UK, but with substantial powers coming to this Parliament. We are told that up to 500,000 Scots voted no on the basis of the vow that was chiselled on to tablets of stone on the front page of the *Daily Record* during the last days of a panicking no campaign. That number is greater than the no majority, so we have a clear mandate for significant new powers, which the UK parties must deliver over this next chapter of Scotland's story.

Gavin Brown (Lothian) (Con): Will the member give way?

Willie Coffey: I will not be taking any interventions during a three-minute speech, I am afraid.

The early signs regarding the promises that were made are not good. The ink was hardly dry on that front page before we heard the leader of the Labour Party—a signatory to the vow—declaring, even before the count was finished, that he was for none of the Tory Prime Minister's proposals to take the matter forward in the way described.

I, my daughter, who was voting for the first time, and many yes colleagues, who worked so hard for what we believed in, looked on in astonishment but with no real surprise at events as they unfolded on the morning of Friday 19 September. It must rank as the fastest U-turn in political history, and was immediately regarded as a complete betrayal of Scotland.

Muttering in the background was the predictable gaggle of Tory and Labour MPs lining up to rubbish the vow and the promise of new substantial powers for Scotland. Boris Johnson

described the vow as a “reckless” promise. Christopher Chope said that it was something

“in inverted commas ... but that is not a guarantee that it would be implemented in the United Kingdom parliament.”

Even the respected Labour MP Jack Straw wants future such referendums to be made illegal and the union made permanent.

We should remember that those views are what current members of the UK Parliament think; we should just think about what is coming: the lunatics will arrive in the asylum to press their own agenda soon.

The Deputy Presiding Officer: Mr Coffey, confine yourself to parliamentary language, please.

Willie Coffey: That gives us a picture of what Scotland will be up against, and of the coming resistance in the UK Parliament to delivering anything meaningful at all.

The infamous Gordon Brown petition must surely rank as one of the most ridiculous episodes in Scottish political history. Petitions usually call on others to deliver what they have promised; they do not usually involve people calling on themselves to deliver what they have themselves promised.

The Labour motion talks about

“the settled will of the people of Scotland”,

but I think that the will of the Scottish people is anything but settled. In Charles Stewart Parnell's famous words,

“no man has the right to fix the boundary of a nation”,

and no person or party here can possibly say to the people of Scotland, “Thus far and no further.”

Generation yes is growing in numbers and confidence. Scotland is watching and waiting. As Parnell said, the people will decide when the time is right to recover our independence and to take Scotland forward to a place where she can realise her full potential.

The Deputy Presiding Officer: We move to the closing speeches.

17:09

Patrick Harvie: We are in a new debate—we have turned a page and it is a new chapter; the independence referendum debate is over—and, this early in a new debate, tone is one of the most important things to get right. I have no doubt that there are folk on all sides who get it wrong as well as some on all sides who get it right. I agree very strongly with what Johann Lamont said about the need for everyone to do something that is quite difficult in politics—find ways to work together towards common goals. We are often very bad at

that. I have to say, though, that to get the tone so right in saying that and then to laugh along at Hugh Henry's speech, which was one of the most cynical that I have ever heard in the Parliament, is not—

Hugh Henry: I struggle to see how it is cynical to make a comparison between what we say and what we do. All that SNP members have talked about this afternoon is new powers. Even with the powers that we have at the moment, we have turned our backs on the poorest in society.

Patrick Harvie: I agree very much with some of the criticisms of SNP policies that Hugh Henry made—for example, I do not support the council tax freeze for many of the same reasons that he does not—but the tone of voice in which he made his comments was in no way designed to encourage people to work together and find the common ground. If we look at the failure of our political landscape to achieve, for example, a redistribution of wealth from rich to poor, we can see clearly that we need the powers and the political will to address that. Neither winning an election here nor winning an election at Westminster guarantees the political will or the outcome that we seek.

Michael McMahon (Uddingston and Bellshill) (Lab): Will the member take an intervention?

Patrick Harvie: No, thank you.

I refer to Jackson Carlaw's comments, too, to underline the fact that I can agree with him on more than just popular television. He talked about scrutiny. There are already concerns about the way in which scrutiny works in this Parliament, which was not designed for a single party majority. Whether we like that single party majority or are members of an Opposition party, the Parliament was not designed for it. If we are to gain substantial additional powers, we need to enhance parliamentary scrutiny, and I assure Jackson Carlaw that I will make the case for action on that. That we cannot determine our own scrutiny arrangements—many of them are set in the Scotland Act 1998—is as bizarre as the fact that we cannot expel a member who is convicted of domestic violence or change the voting age to 16, as most of us now want.

There are aspects of our democratic governance that go beyond questions of economic powers and welfare. Those questions are all profoundly important and we need to discuss them all if we want to close the wealth gap that has grown so obscenely large throughout the UK. However, those aspects of our governance ought to be resolved here in this Parliament if the people of Scotland are to have a Parliament that does not run the risk of being brought into disrepute as a result of our having a member who has been

convicted of serious offences and being unable to do anything about it.

There are a host of other issues, from energy to equality to transport, on which not only we as politicians but a host of other voices are already chipping in and saying that we can do things better if we put those proposals on the table in the discussion about where devolution goes next.

I close—

The Deputy Presiding Officer: Do.

Patrick Harvie: —by making a plea to all members not to pull up the drawbridge and pretend that this is all for us to decide. We must put it out there to the wider public as well.

17:13

Gavin Brown (Lothian) (Con): The key message from today's debate is outlined in the motion. It is about all of us having to work together, both with the powers that we already have and in relation to the powers that we seek through the Smith commission.

I agree with Willie Rennie, who spoke optimistically about the prospects for the Smith commission. Each of the five political parties have put forward to the commission two excellent candidates. The combination of those talents, allied with the chairing of Lord Smith, the good will of both Governments, the involvement of civic Scotland and a specific commitment to involve people up and down Scotland, means that the prospects for the Smith commission are good, and I think that we should have some faith in the process instead of speaking negatively about it from the sidelines.

There is a responsibility on the Scottish Government. In the opening speech for the Government, Alex Neil said that it is going to be constructive, that it will be part of the process and that it wants to make the process work. However, we then hear back bencher after back bencher after back bencher talking about "complete betrayal" and saying that there is not a vote for independence "at the moment" and that the majority were in favour of independence until the vow came along. People are either part of the process and will try to make it work, or they are not and will just carp from the sidelines. They cannot be both.

Stuart McMillan (West Scotland) (SNP): Can Gavin Brown assure the chamber that whatever comes out of the Smith commission will be passed in full, unamended, by the Westminster Parliament?

Gavin Brown: How can one individual MSP vouch for what five political parties will do in a

certain process or for this or other Parliaments? The proposition that an individual MSP can vouch for all of that is absurd. What I can say, however, is that the process was begun within an hour of the announcement of the Fife result, which confirmed the result of the referendum. Within a week, Lord Smith of Kelvin was in this building, speaking to stakeholders, and within weeks of the referendum, the process itself has begun. I understand that the first formal meeting is set to take place in a few days' time, on 14 October. A clear timetable and process have been outlined, and we should all be confident that everyone is putting their very best into it. Indeed, it is incumbent on us all, including the Scottish Government, to do our best to make it work but, as I have said, people are either part of the process or they are not part of it.

There was some talk of our having to start to take more seriously the powers that we already have or which we are already getting via the Scotland Act 2012. That is a really important point, and I want to dwell on one example in that regard. When the budget is announced tomorrow, we will hear the rates and bands for the land and buildings transaction tax, which was one of the first taxes to be devolved and will come in next April. We need to scrutinise that very carefully and look very closely at the projections, because getting it wrong could have a damaging effect on the economy and, in particular, the housing market in Scotland, and could lead to a shortfall in the public finances that this Parliament and this Government would have to make up in the financial year 2015-16.

We already have responsibilities, and we are getting more. However, it is up to us to step up to the plate and ensure that we deliver on those that we already have.

17:17

Alex Neil: I begin by reiterating what I said in my opening speech: the Scottish Government accepts the result of the independence referendum, and we will participate positively in the Smith commission process to ensure that we increase the Parliament's powers and use them to promote economic growth and a fairer society. That is the Scottish Government's clear position.

If I may say so, I think that by far the best speech from the front benches of the three unionist parties came from Willie Rennie, who I think is trying to get the tone right and find a positive approach. As he pointed out, this is the first time in Scotland's modern history that the five major political parties have got together in one room to have this kind of discussion.

Of course, I qualify that with the point that Patrick Harvie very rightly made that no matter what we agree as political parties we have to take the people with us and involve them in the process. They should not be simply handed the results of the discussions and the party politics.

Johann Lamont: Will the cabinet secretary give way?

Alex Neil: No, I do not have time.

Willie Rennie also talked about the 45 plus the 55. Part of our job in this Parliament is to ensure that those who voted yes and those who voted no in the referendum can take Scotland forward together not only on the powers agenda, but on the economic and social agendas.

We know that a significant number of people who voted no are very much in favour of this Parliament having substantially more powers than it has at the present time. In fact, I have here last week's *Wishaw Press*, in which there is a headline from Frank Roy, the Labour MP for Motherwell and Wishaw, that says:

"Working together to deliver the promise made for devo max".

That is from a Labour MP in Scotland. It is clear that he believes that the promise was devo max.

Drew Smith (Glasgow) (Lab): Will the cabinet secretary give way?

Alex Neil: I do not have time.

I believe that a lot of people in Scotland, including many people who voted no, believe that the promise and the vow were for devo max.

We will work constructively in the Smith commission. In her opening remarks, the leader of the Labour Party talked about the new politics. Patrick Harvie made a fair point. Obviously, the leader of the Labour Party has not told her back-bench MSPs about the new politics. We hear them laughing at the substantive points that are made.

Johann Lamont: Will the cabinet secretary take an intervention?

Alex Neil: No. I do not have time. [*Interruption.*]

The Deputy Presiding Officer: Order.

Alex Neil: Unusually, I thought that Mr Carlaw's speech was very disappointing in many aspects—for example, in his comparison between the independence referendum result and the Panelbase poll. The point is this: the referendum involved a yes or no to independence, but the point that has been made and the reason why the Panelbase poll was highlighted were to show, as Willie Rennie, Patrick Harvie and others have pointed out, that many people on the no side want to see substantial additional powers for the

Scottish Parliament. Woe betide any politician in the Scottish Parliament or at Westminster who fails to keep the promise that they made to the Scottish people during the referendum campaign.

We have all agreed that we want to build on the unprecedented public engagement and interest in Scotland's constitutional future to ensure that decisions are based, as far as possible, on the will of the Scottish people. Willie Rennie is right: let us try to find as much common ground as we possibly can. We as a Scottish Government will try to do that, but there has to be a will to recognise that there is a substantial demand among the people of Scotland for substantial additional powers.

Johann Lamont: Will the cabinet secretary take an intervention?

Alex Neil: Unfortunately, I do not have time.

It is therefore legitimate for us, the Liberal Democrats, the Greens and people in various organisations in Scotland, including the likes of the Scottish Trades Union Congress, to argue for substantial additional powers. Indeed, the Labour MP for Motherwell and Wishaw, Mr Roy, will no doubt put in a submission to the Smith commission that demands that devo max be delivered, as he says that that was promised to the Scottish people. Phrases such as "We're going to give you home rule," "We're going to give you neo-federalism," and "We're going to give you devo max" cannot be used without delivering on those vows and promises to the Scottish people.

The fact that we are saying that does not mean that we will not co-operate. Of course we will make our contribution and participate in the Smith commission process. We will approach it in a very positive manner, as Willie Rennie is doing—I think that, so far, he has been the only unionist speaker in the debate who has done so—and as Mr Harvie and others are doing, but it is legitimate for people who voted yes and many people who voted no to demand what they were promised and what they believed they were promised.

It will not be the SNP or the SNP Government that will hold the politicians to account; it will be the Scottish people who will do so if they do not deliver on that promise.

17:24

Drew Smith (Glasgow) (Lab): This morning, Johann Lamont paid tribute to Angus Macleod on behalf of my party. I thank Jackson Carlaw for putting his comments in the *Official Report*, and I associate us with them.

For the past few years, the business of the Parliament has been preoccupied with one question. In the weeks that have followed the answer, our politics has continued to be

dominated by constitutional issues. We have heard that over the past hour.

Labour members have always been clear that entrenching and enhancing devolution was our alternative to Scotland leaving the United Kingdom.

Scotland's future should not be discussed without considering the powers of this Parliament and we are clear that the timetable that we set out before the referendum and the cross-party process that has begun must be held to. We are committed to delivering the powers for a purpose that we are pledged to. Although we cannot accept the redefinition that is offered in the amendments today, we will listen to the ideas of others who are committed to devolution in good faith. Where common ground can be found, we will join with others with differing visions of what this place should be.

The parameters of that future are set not by the Scottish Labour Party but the people of Scotland. It is they who have instructed us to continue devolution within the United Kingdom, not in competition to it. The challenge for us all cannot simply be what powers, but rather how power is to be used: in whose interest will it be exercised? Powers for politicians in Edinburgh rather than London is not good enough.

The story of Scotland's referendum, beyond determining the people's endorsement of Scotland's place in the UK, was, as Patrick Harvie said, about the participation of people in our politics. Across our country, people have come together and discussed their hopes and aspirations for our society in a way that, as Willie Rennie said, never happened before. That can only be a good thing; in fact, it is a great thing.

Yet in the weeks following the referendum, and this afternoon, too much of the debate in this Parliament has taken place as if Scotland's people did not come to a decision at all last month. Parliament, with 18 months of its current session to run, cannot spend week after week rerunning the referendum, blaming groups of our people for a result that did not suit our world view. We cannot accept a platform for a more powerful Parliament being built upon an argument that continues to pretend that this Parliament is powerless now; neither can the debate about how we make devolution work within the UK be transformed into a proxy for the same old arguments for a separate Scotland—the arguments that lost—being put again and again.

It has been said so often this year that we live in a historic time. For months it was said that we were about to take the biggest decision that our nation had ever faced. The year is not out; this parliamentary session is not out—the historic time

has not yet passed. Our approach to the next period will determine Scotland's future as profoundly as the votes of 2 million Scots on one side and 1.6 million Scots on the other.

This Parliament was established with hope for the future as its foundation stone. Taking responsibility for the affairs that are controlled from here is as important as negotiating the terms of our partnership with the rest of the UK. Both sides of the campaign argued that the success of devolution should drive us in our decision, whether to recreate this Parliament as an independent institution or to recreate it as a beacon of good democracy, passionate debate and informed deliberation within the union.

The challenge we face in the remaining time that we have here is just as important, whatever people's views were—or whatever remaining view they have—of constitutional change. That is the common ground on which we should all now stand.

The Presiding Officer (Tricia Marwick): One moment, Mr Smith. There are an awful lot of private conversations going on. Can we hear Mr Smith sum up the debate, please?

Drew Smith: Thank you, Presiding Officer.

The motion and amendments that we have debated reflect that change was the language of the campaign and that the people cannot now be put back in their place. The people who come to my surgery, as well as those who have never willingly listened to a political speech or attended a public meeting but who voted for the first time last month, have a similar demand of us who are privileged to serve here. They demand a politics not in the abstract but authentic to the real world that exists outside these walls.

How many times during a public debate did those of us on either side suggest some deficiency of the other side and watch people in the audience glaze over? The problem was put best to me by a wise man whom I met on the walkway outside his upper-floor flat in Braid Square, in the North Woodside area of Glasgow. He said, "The trouble with politicians is that you are all the same yet you spend all the time refusing to work together. The real issues become lost and the ordinary person is at a loss to understand you."

Few of us here believe that we are all the same—our debate this afternoon has shown that—but when it comes to an inability to work together that man has a point. We are not all the same, but the challenges we face are. Over the last year, we have had a stream of reports about our NHS, which is being driven at full speed just to keep pace with the traffic of health inflation, demographic change and medical innovation. Too many of the staff who work in the service and the

patients who rely on it, and their families, feel that signs along the road are being ignored and that those in the driving seat have no map to follow.

On childcare, we were all agreed in this chamber before the referendum that what we have now is not good enough. We may have different priorities about how we should tackle the problem, just as we have different views on the powers needed to make a difference, but can we not prove wrong those who believe that this parliamentary session will be remembered only for a referendum being held?

There is no bigger and more important response to all those who engaged in the debate on our nation's future than to listen to what the people told us about the nation's problems and resolve to act together to create the better Scotland that was being demanded in every conversation that took place.

The energy of the referendum and the willingness to debate ideas was the prize of the past few months—we cannot now let business as usual be the price. Tomorrow evening we will all go back to whichever part of the country sent us here and enjoy some rest and reflection. When we return, the Government will shortly have new leadership, and we will have precious few days to define our politics for the future.

I have said before that this Parliament needs to get back to work, but you have said, Presiding Officer, that it cannot go back to old ways of working. The constitutional question has dominated Scottish politics all my life and the referendum had dominated this parliamentary session. That question has been answered, and the answer must be heard.

I say to Gavin Brown that it is not just the SNP back benchers who have denied the referendum result. In this week's *Airdrie and Coatbridge Advertiser*, Alex Neil talks about the referendum simply being a "staging post". The referendum was not a staging post; the result was the decision of the people of Scotland and we must respect that decision.

Powers over health, childcare, tax, welfare and running our railways are important. Whether we talk about existing powers or new powers, let us argue not just to hold them but to make use of them with the purpose that united people on either side of the campaign: the power to make our country a better place.

Business Motions

17:31

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-11123, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Any member who wants to speak against the motion should press their request-to-speak button.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 28 October 2014

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Debate: Scotland Devolution Commission, The Smith Commission
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 29 October 2014

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Commonwealth Games, Sport, Equalities and Pensioners' Rights; Training, Youth and Women's Employment
followed by Scottish Conservative and Unionist Party Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 30 October 2014

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Scottish Government Debate: Supported Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time

Tuesday 4 November 2014

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Stage 3 Proceedings: Historic Environment Scotland Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 5 November 2014

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Finance, Employment and Sustainable Growth
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 6 November 2014

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time—[*Joe FitzPatrick.*]

17:31

Paul Martin (Glasgow Provan) (Lab): I rise on behalf of the Labour Party to oppose the business motion that has just been moved by Joe FitzPatrick. Since the Parliament's return after the referendum, business managers have repeatedly sought information from Joe FitzPatrick, the business manager, about when the Government will introduce its legislative programme.

It would appear that the only information that has been available to us so far is that that will happen after the Deputy First Minister's coronation at the mid-November Scottish National Party conference. Surely the people of Scotland deserve better than that. Those who voted in record numbers deserve to hear from the Government about when the programme will be introduced.

I want to be constructive—[*Interruption.*]

The Presiding Officer: Order.

Paul Martin: —and recognise that the Government is being prevented from introducing the programme because it will be another six weeks before the Deputy First Minister is installed as leader. Therefore, we suggest that the First Minister steps aside—perhaps he could spend more time on the golf course and on radio programmes—

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): That is constructive.

Paul Martin: —and the new First Minister introduces her programme for Government on Tuesday 28 October. That will allow the current First Minister to spend more time doing the things that I mentioned.

It is time to stop looking at the issues that are not of concern to the people of Scotland and do something meaningful. The Government needs to stop the talking and do the walking. Let us move on and see a programme for government.

17:33

The Minister for Parliamentary Business (Joe FitzPatrick): We are not going to get back that couple of minutes. Paul Martin has offered a complete work of fiction; let me offer the chamber some facts.

First, the programme for government's timing will see all bills progressing to the same timescale as if the programme had been introduced on the first week back after summer recess. There will be no material difference to the timetable of our legislation programme.

Secondly, the Scottish Government continues to govern as it has always done: effectively and in the interests of the people of Scotland.

I thank Paul Martin for giving me the opportunity to highlight just some of our recent achievements. Tomorrow, the Cabinet Secretary for Finance, Employment and Sustainable Growth, will publish our budget, focusing on tackling inequality and economic growth.

On Monday, Scottish Water announced its £3.5 billion infrastructure investment programme, which will secure work to support some 5,000 construction jobs. Just last month, we introduced a bill to end the automatic early release of long-term prisoners. We are taking through legislation to control the use of air weapons. From January, free school meals will be introduced for primary 1 to 3—shamefully, the Labour Party voted against that proposal.

The people of Scotland are seeing through the Labour Party, which has betrayed its roots to work hand in glove with the Tory party in talking

Scotland down. The people of Scotland prefer positivity, vision and aspiration to the Labour Party's toxic brand of negativity, doom and despair. That is why the SNP has a 15-point lead over Labour in opinion polls and why the SNP has had more than 52,000 brand new members since the referendum. What is crucial for the Labour Party is that our trade union group probably has more members than make up Scottish Labour's entire membership.

That is why the people of Scotland will continue to put their trust in this party of government, which continues to discharge its duties in the best interests of the people of Scotland.

The Presiding Officer: The question is, that motion S4M-11123, in the name of Joe FitzPatrick, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)

McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)

Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 68, Against 49, Abstentions 0.

Motion agreed to,

That the Parliament agrees the following programme of business—

Tuesday 28 October 2014

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Scotland Devolution Commission, The Smith Commission

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 29 October 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
 Commonwealth Games, Sport, Equalities and Pensioners' Rights; Training, Youth and Women's Employment

followed by Scottish Conservative and Unionist Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 30 October 2014

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Debate: Supported Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 4 November 2014

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Historic
Environment Scotland Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 5 November 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Finance, Employment and Sustainable
Growth

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 6 November 2014

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

The Presiding Officer: The next item of business is consideration of three business motions—S4M-11126 to S4M-11128—in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which set out legislative timetables.

Motions moved,

That the Parliament agrees that consideration of the Air Weapons and Licensing (Scotland) Bill at stage 1 be completed by 3 April 2015.

That the Parliament agrees that consideration of the Welfare Funds (Scotland) Bill at stage 1 be completed by 19 December 2014.

That the Parliament agrees that consideration of the Food (Scotland) Bill at stage 2 be completed by 14 November 2014.—[*Joe FitzPatrick.*]

Motions agreed to.

Parliamentary Bureau Motions

17:38

The Presiding Officer (Tricia Marwick): The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move motions S4M-11124 and S4M-11125, on the approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Legal Profession and Legal Aid (Scotland) Act 2007 (Membership of the Scottish Legal Complaints Commission) Amendment Order 2014 [draft] be approved.

That the Parliament agrees that the Pollution Prevention and Control (Scotland) Amendment Regulations 2014 [draft] be approved.—[*Joe FitzPatrick.*]

The Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

17:38

The Presiding Officer (Tricia Marwick): There are eight questions to be put as a result of today's business. I remind members that, if the amendment in Kenny MacAskill's name on policing is agreed to, the amendment in Margaret Mitchell's name will fall.

The first question is, that amendment S4M-11114.2, in the name of Kenny MacAskill, which seeks to amend motion S4M-11114, in the name of Graeme Pearson, on policing, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)

McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)

Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Abstentions

Wilson, John (Central Scotland) (Ind)

The Presiding Officer: The result of the division is: For 62, Against 54, Abstentions 1.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Margaret Mitchell falls.

The next question is, that motion S4M-11114, in the name of Graeme Pearson, on policing, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)

Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)

Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)

Abstentions

Wilson, John (Central Scotland) (Ind)

The Presiding Officer: The result of the division is: For 62, Against 54, Abstentions 1.

Motion, as amended, agreed to,

That the Parliament acknowledges that policing in Scotland continues to perform excellently and, despite UK Government cuts, reform has ensured that crime remains at a 39-year-low, violent crime is down by almost half, crimes of handling offensive weapons are down by 60%, homicides are at their lowest since records began, police numbers are 1,000 higher than they were in 2007, compared to more than 14,000 officers being axed since 2007 in England and Wales, and confidence in the police is high and rising; recognises that Police Scotland listened to public views and opinions about stop and search and armed police and adjusted its approaches accordingly; further recognises that the current Scottish Police Authority and HM Inspector of Constabulary in Scotland scrutiny reviews will enhance the way that policing relates to the people and communities it serves; notes that, during the passage of the Police and Fire Reform (Scotland) Act 2012, members from across the Parliament stressed the importance of ensuring that there is no political interference in policing, and, following a period where Scotland's policing has been so strongly in the international spotlight at the Commonwealth Games and Ryder Cup, calls on the Parliament to recognise the very positive impact of Police Scotland and to congratulate officers and staff for their excellent work.

The Presiding Officer: Members will need to pay attention on this one. The next question is, that amendment S4M-11116.1.1, in the name of Patrick Harvie, which seeks to amend amendment S4M-11116.1, in the name of Nicola Sturgeon, on Scotland's future, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Brodie, Chic (South Scotland) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Dey, Graeme (Angus South) (SNP)
Don, Nigel (Angus North and Mearns) (SNP)
Doris, Bob (Glasgow) (SNP)
Eadie, Jim (Edinburgh Southern) (SNP)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Finnie, John (Highlands and Islands) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)

Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hume, Jim (South Scotland) (LD)
Hyslop, Fiona (Linlithgow) (SNP)
Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
Johnstone, Alison (Lothian) (Green)
Keir, Colin (Edinburgh Western) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacAskill, Kenny (Edinburgh Eastern) (SNP)
MacDonald, Angus (Falkirk East) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Derek (Renfrewshire North and West) (SNP)
MacKenzie, Mike (Highlands and Islands) (SNP)
Mason, John (Glasgow Shettleston) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Maxwell, Stewart (West Scotland) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McDonald, Mark (Aberdeen Donside) (SNP)
McInnes, Alison (North East Scotland) (LD)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McLeod, Aileen (South Scotland) (SNP)
McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
McMillan, Stuart (West Scotland) (SNP)
Neil, Alex (Airdrie and Shotts) (SNP)
Paterson, Gil (Clydebank and Milngavie) (SNP)
Rennie, Willie (Mid Scotland and Fife) (LD)
Robertson, Dennis (Aberdeenshire West) (SNP)
Robison, Shona (Dundee City East) (SNP)
Russell, Michael (Argyll and Bute) (SNP)
Salmond, Alex (Aberdeenshire East) (SNP)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Urquhart, Jean (Highlands and Islands) (Ind)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
Wheelhouse, Paul (South Scotland) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)
Wilson, John (Central Scotland) (Ind)
Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Baxter, Jayne (Mid Scotland and Fife) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Gavin (Lothian) (Con)
Buchanan, Cameron (Lothian) (Con)
Carlaw, Jackson (West Scotland) (Con)
Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
Davidson, Ruth (Glasgow) (Con)
Dugdale, Kezia (Lothian) (Lab)
Fee, Mary (West Scotland) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Goldie, Annabel (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Henry, Hugh (Renfrewshire South) (Lab)

Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 68, Against 49, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S4M-11116.1, in the name of Nicola Sturgeon, as amended, which seeks to amend motion S4M-11116, in the name of Johann Lamont, on Scotland's future, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)

Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)

Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 65, Against 52, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S4M-11116, in the name of Johann Lamont, on Scotland's future, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

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 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)

McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 65, Against 52, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises the result of the independence referendum; agrees on the need for a strengthened Scottish Parliament; acknowledges that people on both sides voted for change; notes the response to a recent Panelbase poll in which two thirds of respondents backed extensive new powers for the Parliament; agrees that the language, 'devo-max', 'home rule' and 'near federalism', used during the referendum campaign has raised expectations of significant change; agrees that the process commenced by The Smith Commission offers an opportunity to deliver substantial further powers and responsibilities to the Parliament but that the commission must be followed by a period of meaningful public participation, given the severely limited time available for the public to engage with the commission itself, and agrees that it is now incumbent on all parties to deliver on the clear promises made to the people of Scotland to ensure that Scotland has the powers needed to improve its economy, support jobs, enhance its voice in the world and make Scotland a fairer, greener, more equal society.

The Presiding Officer: The next question is, that motion S4M-11124, in the name of Joe FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Legal Profession and Legal Aid (Scotland) Act 2007 (Membership of the Scottish Legal Complaints Commission) Amendment Order 2014 [draft] be approved.

The Presiding Officer: The final question is, that motion S4M-11125, in the name of Joe FitzPatrick, on approval of an SSI, be agreed to.

Motion agreed to,

That the Parliament agrees that the Pollution Prevention and Control (Scotland) Amendment Regulations 2014 [draft] be approved.

Hospice and Respite Facilities for Young Disabled Adults

The Deputy Presiding Officer (Elaine Smith):

The final item of business today is a members' business debate on motion S4M-10901, in the name of Jackie Baillie, on the absence of suitable hospice and respite facilities for young disabled adults. The debate will be concluded without any question being put.

Motion debated,

That the Parliament is concerned at the absence of suitable hospice and respite facilities for young disabled adults in Dumbarton and across Scotland; understands that the Children's Hospice Association Scotland (CHAS), which currently provides services to approximately 100 young adults, has been forced to impose an upper age limit on its facilities due to increased demand on its service capacity by children; notes that this upper age limit will come into force in approximately three years' time; believes that, with life expectancy for conditions such as Duchenne muscular dystrophy increasing, the need for age-appropriate hospice and respite facilities for young disabled adults will only grow with time; notes the calls of the Muscular Dystrophy Campaign and the What About Us? campaign group for new proposals to be brought forward as a matter of urgency, and further notes calls for an urgent government review of the issue, bringing together NHS boards, local authorities, hospice providers and young people.

17:47

Jackie Baillie (Dumbarton) (Lab): I am very pleased to bring the debate to Parliament this evening. Robert Watson, who is the chair of the CHAS young adult council, was hoping to be here tonight. If he has made it, I offer him a warm welcome. Robert is a young man with Duchenne muscular dystrophy, which is a life-limiting condition. He and others in the young adult council set up the What About Us? group and lodged a petition in the Parliament calling for age-appropriate respite care facilities. Together with Kyle Kelly, Robert presented that petition to the Public Petitions Committee in November 2013 and made quite an impression on the committee's members.

However, our timing was truly terrible, because that was the same day as the launch of the Scottish Government's white paper on independence. One might have expected the Scottish Government to have held off for a day or two so that we could have had some of the publicity, but it did not do so. I do not know why. The upshot was that adult respite did not get as much attention as we believe it deserves; however, I say to the Minister for Public Health that we are not giving up.

I am grateful to members for staying tonight to participate in the debate. There was much banter across the chamber in the previous debate, so let

me make it clear that I am working hand in glove with Jim Eadie and Jackson Carlaw, together with Robert Watson and his team, to make progress on age-appropriate respite care.

The members of the CHAS young adults council all suffer from various life-limiting conditions, and many would not previously have been expected to live beyond childhood. However, such have been the advances in medicine that people with such conditions are living much longer—well into their 30s and 40s and beyond. That is a really positive story that we should celebrate.

Nevertheless, it brings with it a challenge. Many members are aware of the exceptional work that CHAS does at its hospices, Robin house in Balloch and Rachel house in Kinross. They are set up to provide much-needed respite for children who have terminal illnesses, and what fantastic places they are. Such is the pressure on their services, however, that they had to take a decision to limit their respite care to people aged under 21. They reckon that that will affect about 40 young people, although other estimates put the figure at 100 young people who will need to find alternative respite provision. Whatever the number is, we need to do something about it, and although it is helpful that there is to be a three-year transition period, that is quite a short timescale to identify suitable alternative care.

Let me touch for a moment on what would be appropriate. This is not about respite care for parents and carers, important though that may be. This is about respite care for young men and women who, just like the rest of us, need to have a holiday, to get away and to be with others of their own age group. Being at home can be quite isolating and—let us face it—we can all do with a break, but for many of those young adults respite care is a chance to socialise with others, and their parents can relax safe in the knowledge that the respite provider has the expertise to deal with their son's or daughter's complex condition.

Members who have visited CHAS services will know that they are not sad places, but are filled with laughter and joy. There is always something going on—things to do, people to see and places to chill in. I ask members to imagine that they are an adult aged 21 or over, and their respite care is provided in an old people's care home or a hospital wing. That is the reality for some younger adults, and it is simply not good enough. That is not to denigrate old people's care homes or hospitals but, to be frank, respite care that is provided in those settings is more about where there is space, rather than being determined by individuals' needs.

We need age-appropriate respite facilities. We need a CHAS for 21 to 45-year-olds, or 50-year-olds. Far be it from me to suggest a model, but

CHAS's approach works, and local authorities and health boards have worked with it to develop a funding model and process that has wider application.

There has been discussion with Leuchie house about converting an existing building to provide appropriate respite, and at one stage the Prince and Princess of Wales Hospice in Glasgow was looking at developing new facilities, of which bespoke respite for this age group could be a part. There is no end to the talent and creativity of people in the voluntary sector who want to help, because they, above all, recognise the challenge of transition.

The Scottish Government believes that there is an issue here, too. Its "Living and Dying Well—Progress Report" in March 2012 reported on transition services and stated:

"In many Boards this appeared to be work in progress."

I am sure that the Minister for Public Health will agree that that recurring comment exposes the lack of adult services to which young people can transition.

It appears that the position has not really improved. In a survey that the Muscular Dystrophy Campaign commissioned about hospice and respite facilities for young adults, 85 per cent strongly or very strongly agreed that respite and hospice facilities are vital for their family's quality of life. A staggering 92 per cent reported limits to respite and hospice provision in their local area, and 93 per cent said that, if respite or hospice facilities were withdrawn, the impact would be "terrible". We can be in no doubt about how important the matter is.

CHAS has commissioned research, helpfully funded by the Scottish Government, to identify the number of children and young people who would benefit from palliative care, and that research is welcome. Other research will look at end-of-life clinical problems and the impact that they have on families and services. That, too, is welcome.

There is some activity, but I am impatient, and we all recognise that the clock is ticking. We need someone to pull all that together, to drive the discussion forward and arrive at a positive solution, and I can think of no one better than the Minister for Public Health. He has the skills and the understanding to transform adult respite and transition services. *[Interruption.]* Yes, I am being charming because I want something. I ask him to recognise that the issue is not about party politics; we all accept that there is a need to do something. I ask him to commit this evening to taking this work forward personally. He will enjoy support from across the parties in Parliament if he does so.

In Scotland, we have an opportunity to lead the way by bringing providers and young people together and by developing a national response to the difficulties that people face as they get older. We are talking about a small but growing number of adults who have complex and exceptional health needs. I hope that the minister will say yes tonight, because we can do better and, with his help, we will do better.

The Deputy Presiding Officer: A large number of members wish to participate, so I ask members to keep to four minutes.

17:55

Jim Eadie (Edinburgh Southern) (SNP): I congratulate Jackie Baillie on securing this important debate and on bringing the issue of age-appropriate respite services for young disabled adults before Parliament.

The issue affects the lives of young men with Duchenne muscular dystrophy, and people with other types of muscular dystrophy and neuromuscular and other rare conditions, so it is right that we debate it.

I record my thanks to my constituent Mark Chapman, who has Duchenne and who is an inspiration to me and a role model for young people who have the condition. I also thank John Miller, who is the Scottish advocate for Action Duchenne, and the Muscular Dystrophy Campaign for all that they do to highlight the need for proper support, care packages and investment in research, as well as the specific issues that are the subject of the debate. We should all remember that the work that they do has made an incalculable difference in improving the lives of people with muscular dystrophy, their families and carers.

Most of all, I pay tribute to Robert Watson, who has been the driving force behind the What About Us? campaign. As Jackie Baillie stated, the issue is that improvements in care and advances in medical knowledge and healthcare technology are such that life expectancy is increasing for people who have these rare conditions. Action Duchenne has highlighted the fact that, as standards of care have improved, people are beginning to live much longer than they would have done previously. Over the past 15 years, the adult population of people living in Scotland with Duchenne has almost tripled, from 18 people in 1999 to 55 people in 2013.

Robert Watson set out the challenge for politicians and decision makers alike in his petition, which has been signed by more than 2,000 people. That is a significant achievement and is a testament to the strength of feeling that he and others have about the issue.

Robert, in his eloquent and hard-hitting speech to the Public Petitions Committee, stated:

“I bet that most of you in this room had a holiday this year—a chance to go somewhere different or to a place that you enjoy visiting for a break from the usual routine and the stresses of everyday life. That is what a respite break is like for us. How would you feel if you were told that you could never have a holiday again?”

That is the reality that people such as me ... and our families who care for us face ... Respite breaks are the only type of holiday that a lot of us can go on, so to lose the benefits that they bring would be devastating.”

CHAS, which has its headquarters in my constituency, has set out in a briefing to MSPs the reasons why it is no longer appropriate for it to provide respite services to young adults, and the steps that it is taking to ensure that there is a sufficient time to transition to new arrangements rather than simply “pulling the plug” on existing respite services.

Robert Watson has set out why appropriate respite services are so vital not just for young disabled adults but for their families and for their carers. I was struck by what Robert had to say about the benefits of respite services as a chance to have a break from his parents and the normal routine, which is set

“by the time when the care workers are due to come in.”

I was also struck by what he had to say in relation to being able

“to socialise with other people”

of his own age

“who have the same or similar conditions”—[*Official Report, Public Petitions Committee, 26 November 2013; c 1871.*]

and how vital it is that he and his peer group have the opportunity to meet up and to share their experiences.

Robert reminded us, having spoken with young people aged between 21 and 45, that

“it is clear that all over the UK there are absolutely no respite services to support those of us who have lived into adulthood, not just in Scotland. Once we turn 21, or in some areas 18, we can no longer attend children’s respite services and because there are no suitable adult respite services for us to move onto, our families are left to cope without a break and with no support.”

That situation is not acceptable.

I know that the skilful, understanding and dynamic minister—as Jackie Baillie does, I want something—will want to address the calls to action that have been issued by the Muscular Dystrophy Campaign, in particular in relation to how the Scottish Government can perform a leadership role in facilitating joint working between health boards, local authorities and charities in order to provide long-term security for respite services for young disabled adults, and to develop an

appropriate funding model that will underpin those services.

I conclude with a final quotation from Robert Watson:

“Hopefully, with the help of the Scottish Government, Scotland can lead the way in creating these much needed services for people with long term, complex conditions.”

I certainly hope that that will be the case.

I am delighted to add my voice in Parliament to the What About Us? campaign and to bring about the progress that this group of young people and their families surely deserve.

17:59

Rhoda Grant (Highlands and Islands) (Lab):

I, too, congratulate Jackie Baillie on bringing the debate to the chamber. I think that we all recognise the difficulty of the transition from child to adult services, and we hear about it weekly at the Health and Sport Committee.

It is very difficult for someone with a chronic condition when the help, support and care that they are receiving stops altogether when they move from child to adult services. The situation is even worse for those with life-limiting conditions, for whom every day is precious, and who may have been used to receiving additional support as part of the services that are provided for children. Those services deal with the whole person. They provide routine, education and opportunities for socialisation, and they are family centred to include the whole family and provide a focus and support for everyone, including the young person.

The contrast with adult services could not be more stark. In many places, adult services are almost non-existent. The dream of having days that offer fulfilment and social interaction can never be fulfilled for many people. Opportunities to undertake learning and education, and to gain access to jobs, are also only a dream. Some organisations are very good at providing those opportunities, but we need to do an awful lot more to provide young adults with the life that they want to live. Those lives may be shorter, so they should surely be more fulfilling.

Hospice services for adults are very different from those for children. Adult services tend to be offered at the very end of life rather than providing someone with the ability to live their life. We need to consider the way in which we provide hospice services for young people with life-limiting conditions.

A number of members have mentioned respite care. I have heard from constituents who say that young people's respite care takes place either at home or in old people's homes. That is really not appropriate for young people, who need to go out

and socialise and meet other people of their own age.

The debate is not about keeping young people within children's services, but about improving adult services and ensuring that we offer people age-appropriate services. Recently I have been dealing with a number of carers whose children have grown to adulthood, and those carers have huge worries. They are part of an ageing population, and are being asked to do more and more when they are not perhaps at full strength. On the rare occasion when they receive respite, it is often to allow them to deal with family crises. One constituent told me that her annual respite was used to deal with bereavement when she lost her own parent. Another told me that she used the respite to deal with her own illness: her child was taken into respite care to allow her to go into hospital. Part of her recovery supposedly involved rest, but there was no respite. She had to leave hospital to take care of her child, who was now a young person who needed constant care and attention and some heavy lifting.

That is surely not good enough, neither for the carer nor for the young person. We need to do better. I add my voice to those of other members in the chamber to say, “Let's do something about this.”

18:03

Jackson Carlaw (West Scotland) (Con): I associate myself immediately with everything that Jackie Baillie, Jim Eadie and Rhoda Grant have said on the issue. I will not repeat any of it, and my contribution will be brief.

It has been a tremendous privilege to work with those who are working in support of people with Duchenne's disease. That includes the volunteers, the families and the young men themselves, who are now able to represent their future for themselves as they have done in the Parliament.

I have visited the children's hospice facilities, which are currently the only form of respite available for many who, a generation ago, would have been given a prognosis of not surviving into adulthood. Of course, we can see, as those young men survive into adulthood, how inappropriate that form of respite is for them. Nor is it appropriate simply to ask them to sit with elderly people in an old folks' home. We need to have a facility that is appropriate for them and for their needs.

I will say only this. Those young men are full of love, and capable of being loving; full of passion and capable of being passionate; full of interests and capable of expressing those interests and being interesting; and they are informed and capable of informing others. Those young men are

friendly, and now wish to be able to spend time with friends.

Jackie Baillie has asked the minister to do what a minister in the previous session of Parliament did in relation to wheelchairs, after a cross-party campaign that was led by Trish Godman. In that case, the facilities that we were providing belonged to a completely different era. We now have young men surviving into adulthood. We need cross-party support, led with the same love, passion, interest and commitment from Government. I hope that the minister will give a lead and a voice to that. I hope that, in future, the Parliament can point to Robert Watson's campaign and all that he has sought to represent and achieve and say, "We have done that."

18:05

Linda Fabiani (East Kilbride) (SNP): I, too, associate myself with everything that has been said. I am glad that Jackie Baillie brought the debate to the chamber and that Robert Watson and his colleagues in the Muscular Dystrophy Campaign have raised this huge issue, which Jackson Carlaw enunciated very well.

I came to the issue because of a constituency case, when someone's father came to see me about it. I must admit that I was pretty ignorant about the facts. I did not know much about what was happening with CHAS. Although I know that there is a much wider issue about respite breaks for people who are transitioning into adulthood, I will use my time to concentrate on the circumstances of those who find that, following the transition period, they can no longer go to a children's hospice for respite. I think that that is a really big deal.

An upper age of 21 has now been set. I totally get why it has been set—I understand it. Evidence from CHAS states:

"service users have identified ... themes as being particularly important at transition stage to enable them to 'live life to the full'".

The main themes that jumped out at me, because of the experiences that I had heard about from my constituent, were social connections and short breaks. Jackson Carlaw talked about some of those issues.

We are talking about people who have been going to CHAS all their lives and who have suddenly found that, in a very short time, that is not going to happen any more. They have formed relationships over all the years of their lives and they want to keep them up. That is not an issue for people who are fortunate enough to get about on their own and who have a huge degree of personal independence. We form relationships and we keep them going. However, for someone

who is not what we call able bodied and who cannot get out and about completely independently, that becomes very difficult. That is where respite is so important.

People gravitate to others with shared and similar experiences and they want to keep up those relationships. CHAS has estimated that it currently supports 41 young people over the age of 21 and their families. I think of those young people as a specific group who will find their lives and relationships very changed by the policy. That is why, just over a year ago, having learned about the issue, I wrote various letters to people about it and got the facts. I wrote to the Cabinet Secretary for Health and Wellbeing and, when I looked out the letter again, I was really struck by something that I had put in it about the lad in East Kilbride. His father told me that his son had come to think of CHAS as a "second-home". He went on to say that his son felt

"penalised for living too long".

We can all say that that is not true and that everybody is trying really hard. Of course they are, but if that is how that boy feels, we have a responsibility to try to take the feeling away.

I see that my time is running out.

Jackie Baillie: Will the member take a tiny intervention?

Linda Fabiani: I will, if that is okay, Presiding Officer.

The Deputy Presiding Officer: Briefly, please.

Jackie Baillie: Does the member accept that CHAS did not choose to do that? Healthcare Improvement Scotland required it, and CHAS currently has a variation in its registration to allow it to take people up to 21.

Linda Fabiani: I would hate to have given the impression, if I did, that CHAS was acting badly in some way. I do not mean that at all.

I return to the fact that we are talking about only 41 young people. I think that we can separate them out from the bigger argument, which is about the fact that we need those services. Surely health boards and local authorities across the country, and those who have responsibility for the wellbeing of their citizens, along with the health minister, can come up with some solution that allows relationships to be maintained while we are looking for better services in the round for everyone.

18:10

Anne McTaggart (Glasgow) (Lab): I thank Jackie Baillie for securing this evening's important members' debate. The development of appropriate

respite services for young adults is an on-going matter that is of great concern to many of my constituents in Glasgow. At the outset, I record my admiration for the dedication of carers throughout Scotland and for the outstanding work that they achieve daily. Let us recognise how important it is that we do everything in our power to find solutions to problems when and as they arise, because we as a country owe a huge debt to their devotion.

As a member of the Public Petitions Committee, I have been involved in the progress of the petition that was lodged by Robert Wilson on behalf of CHAS young adult council, and I heard the petitioners' wonderful presentation. The petition calls on the Scottish Parliament to urge the Scottish Government to work with charities to help to create suitable respite facilities for younger disabled adults who have life-shortening conditions and are aged between 21 and 45. Parliament and the Government should be working together with hospices and care providers to see how we can provide facilities for young adults, or committing funds to creating new purpose-built facilities to support that group.

Robert Watson and Kyle Kelly spoke at the committee about the need for respite facilities that are appropriate for younger adults who have severe physical disabilities. They brought to the committee's attention the need for those facilities both for carers and younger adults. I had the pleasure of being invited, along with constituency MSP Jackie Baillie and my colleague Siobhan McMahon, to visit the Robin house children's hospice in Balloch. The work that is done there for young people is amazing and the staff are to be congratulated.

A constituent of mine who had recently been to Leuchie house, which does an equally wonderful job, had not enjoyed the experience because my constituent was younger than the age group that was receiving respite there at the time. As Robert Watson said, there is a gap in the respite that is available for younger adults. That is a huge concern, because one of the main parts of respite is about getting together to socialise with friends and peers.

I share the view that provision of respite should be a positive experience for both the carer and the younger adult. Carers and those who receive care both need breaks from the routine. As Robert Watson pointed out, for the carer, respite is a chance to relax, recharge their batteries and generally take a break. Likewise, for the young adults, respite care allows for a change from everyday living. The positive effects of respite care should not be restricted to the families of those who are under 21 and over 45.

It is my hope that all of us across Parliament should continue, with the Scottish Government, to close the gap that is left behind by CHAS's policy change, and that we should support the creation of respite facilities that are geared towards young adults. I hope that the minister will concentrate his efforts on working with charities, hospices and care providers to co-ordinate resources and create a solution to the gap for young adults with disabilities.

18:14

Nanette Milne (North East Scotland) (Con): In thanking Jackie Baillie for bringing this debate before Parliament, I would also like to acknowledge her tireless efforts to help and support people in Scotland living with muscular dystrophy, not least through the Parliament's muscular dystrophy cross-party group. I am a relative newcomer to the group, and I have been greatly impressed by its practical discussions, which have been led by Jackie Baillie, and the can-do attitude of the group's members in trying to improve services for young men with Duchenne muscular dystrophy and for people with other types of muscle-wasting disorders.

The What About Us? campaign on hospice and respite facilities, which is being driven by Robert Watson, has served to highlight a really important issue for many young people with disabilities, who find that, once they become adults, there is really nowhere for them to go if they and their parents or carers want a break from their normal routine, and they want an opportunity to socialise with people of their own age group who have similar problems.

There are currently about 100 young adults and their families in Scotland in this situation, and that number will undoubtedly increase over the years. However, in his powerful speech to the Public Petitions Committee, Robert Watson pointed out a problem. He said:

"There are no services for people in our age group—there is nothing between CHAS services for children and hospices for older adults who are in their 50s and 60s, who are mainly suffering from cancer and other terminal illnesses."

He also said that

"It seems that, as life expectancy increases, the support that is available to us decreases."

He concluded by stating that

"adult respite services ... enable my parents to continue their caring role in the long term. Without those breaks, it would become too difficult for my parents to continue to care for me, and it would cost the Government a lot more money to provide 24/7 care for me."—[*Official Report, Public Petitions Committee, 26 November 2013; c 1872.*]

We all know the truth of his words, but we also know that inadequate access to respite care is just

one of the many difficulties that are faced by young people who have severe disabilities and life-limiting conditions as they move from children's to adult services. Not the least of those difficulties are the barriers to accessing suitable facilities due to local authority funding policies, because respite care for young people with high levels of need is expensive to provide.

The issue of suitable respite provision for young adults has, of course, been brought into sharp focus by the decision of CHAS to phase out its service for young adults over the age of 21. If new provision is to be in place before that happens, there is an urgent need for the Scottish Government, health boards, local authorities and the third sector to get together to find a way through the difficulties.

With the small number of people involved in each council area, it is clear that dedicated local facilities would be impossible to finance and sustain, and a national solution would require co-operation and complex negotiations over access and finance. I hope that that might be facilitated by the on-going development of health and social care integration.

A one-size-fits-all solution is unlikely to succeed, so a range of person-centred options might well be what is needed for the disparate population who need appropriate respite provision.

As discussed by Mark Hazelwood, who is the chief executive of the Scottish Partnership for Palliative Care, there might be differences in preference as well as in need. For example, there is a clear choice between having respite provision at a dedicated centre and being supported to access a mainstream holiday facility. The latter option brings to my mind once again the excellent provision at Crathie Holidays in upper Deeside in my region, where there are excellent facilities to cater for people who have a range of minor or serious disabilities, as well as for able-bodied people who are looking to have a relaxing holiday in a beautiful part of the world.

The current debate is needed only because of the successful treatment of conditions like Duchenne muscular dystrophy, which allows many more people to survive into adult life. However, the need for respite provision for young adults is now urgent, and I hope that the Government will accept that that has to be a partnership effort, and that it will bring together stakeholders—including the young people themselves—from right across Scotland to thrash out the difficulties and develop the solutions that are required to deal with a growing problem that is only going to get worse if action is not taken soon.

I commend Jackie Baillie, Robert Watson and all those who have worked hard to raise the profile of

this urgent need, and I hope that it will not be too long before they achieve the results that they are seeking.

The Deputy Presiding Officer: In view of the number of members who wish to speak in the debate, I am minded to accept a motion without notice to extend the time for debate by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Jackie Baillie.*]

Motion agreed to.

18:18

Jayne Baxter (Mid Scotland and Fife) (Lab): I would like to join others in congratulating my colleague Jackie Baillie on securing this debate and on the important work that she continues to do on this issue.

The subject of today's debate is extremely important, and I pay tribute in particular to Robert Watson and to Kyle Kelly and the other young people who are involved in the What About Us? campaign.

I was moved by Robert Watson's evidence to the Public Petitions Committee. He told members something of what respite care means to him, saying:

"I can get up when I want, go to bed when I want and get a shower when I want, without that being set by the time when the care workers are due to come in."—[*Official Report, Public Petitions Committee, 26 November 2013; c 1871.*]

Being able to do these things when we want is something that the vast majority of us take for granted, but they are not things that people with muscular dystrophy can do independently. Little things like that make us step back and think how important such considerations are—they are things that I do not think about enough, and we have to consider them very seriously.

It is not just young people for whom access to quality respite care matters; it also matters to their families, many of whom are full-time carers. Like other members, I have heard first-hand accounts from parents about the stress that caring for their grown-up children can cause, and about the importance to everyone of getting a break. The Muscular Dystrophy Campaign found that 93 per cent of relevant people said that the withdrawal of respite services in their area would have a "terrible" impact on their lives.

The reasons behind the situation that is the subject of this debate—the absence of suitable hospice and respite care—are, in some ways, good reasons, as improved healthcare means that

more and more people with life-limiting conditions are living much longer than was ever previously envisaged. However, planning how they and their families will be able to get the breaks that they need has not kept up with that. Instead, the available respite care is often targeted at children or at older people, and not at the people for whom it is appropriate to spend their break with young men or women. Our job in Parliament is to help to ensure that the young people concerned have access to the facilities and resources that will allow them to live life to the fullest possible extent. That has to mean age-appropriate respite care.

Rachel house in Kinross, in my region, is one of the CHAS hospices that has to reduce the age range of people that it looks after. Rachel house does fantastic work, and I have nothing but respect and admiration for the staff who do such a good job there. The work of Rachel house is transformative for the young people and families who are supported there. I question, however, whether it should always fall to charities to provide the essentials. CHAS currently has to raise more than £9 million each year to provide its hospice services, on which more than 300 families across Scotland depend.

The Minister for Public Health will know that I have been, and continue to be, critical of health services in my area. Health boards have a crucial role to play in addressing the problem. This evening, I will match the charm and persuasive skills of Jackie Baillie and Jim Eadie: I ask nicely whether the minister could say in his winding-up speech what discussions he has had with health boards and other stakeholders in seeking to find a solution to the situation. Secondly, could he share with us the Government's thinking on what suitable alternative provision could be established?

18:22

Graeme Dey (Angus South) (SNP): Like other members, I congratulate Jackie Baillie on securing the debate. As we have heard from speeches across the chamber so far, the subject rises above party-political tribalism. It also transcends the funding blame game that is so often played out in the political arena.

The simple fact is that addressing this hugely important issue requires central Government, local government and the NHS to come together and do the right thing. More than anything else, in responding to the challenge before them, they must listen to the views of the young people at the very centre of the situation. Respite and hospice provision must be shaped to meet the needs of those who require it.

This is not an easy subject. The anticipation of lives being cut tragically short is, on one level, a cause for sadness, yet the fact that we are required to address the situation also offers hope. The reason why we are having to consider appropriate hospice and respite care for young disabled adults is that many more such youngsters are living longer into adulthood. As we have heard, those with Duchenne muscular dystrophy can live into their 20s, 30s or even 40s. It is utterly inappropriate that young men with that condition face respite provision that effectively sticks them in an old folks home environment. Just as catering for young adults in the CHAS-type setting does not really meet their needs, providing respite in traditional adult settings is not what is needed, either.

Like other members participating in the debate, I attended the event in the Parliament back in June that was sponsored by Jackson Carlaw and hosted by Action Duchenne and which highlighted the needs of young adults. It was a moving experience to listen to Robert Watson articulate the shortcomings in provision and identify what is needed. As he put it, respite is as close to a holiday—a break from the usual routine and the stresses of everyday life—as young men in his situation get. It should be a chance to socialise with people of a similar age and to escape the isolation that comes with being at home most of the time. It should also offer the families a break from the enormous caring responsibilities that they have, and it should give them the chance to recharge their batteries—something that they will do only if they are confident that their loved one is somewhere that they will be able to enjoy fully.

Five calls to action are contained in the Muscular Dystrophy Campaign report, "Give us a Break". Reading through them before the debate, I found myself nodding my head in agreement with each and every one of them.

I conclude by paying tribute, as Jim Eadie did, to John Miller, advocacy officer for Action Duchenne. As many members know, John is a tireless campaigner for Action Duchenne. He helped to facilitate the meeting in the Parliament in June, and members will not be surprised to learn that he has been active on social media in encouraging attendance at tonight's debate. He is a remarkable man—a force of nature—who has done incredible things to raise awareness of Duchenne muscular dystrophy. His is the phone call or email that MSPs know there is no avoiding, because he will track them down eventually. As a whip in the Parliament, I wish that, in my encouraging or imploring of back benchers, I was half as effective as he is.

In all seriousness, important matters such as the one that we are considering require people such

as John Miller campaigning on their behalf. I genuinely thank him, as well as those behind the Muscular Dystrophy Campaign and the What About Us? campaign for shining a light on the present situation. I look forward to hearing what the minister has to say, especially given the way in which he has been buttered up all evening.

18:25

Siobhan McMahon (Central Scotland) (Lab):

As a member of the cross-party group on palliative care, I am pleased to be able to take part in this debate, and I thank my colleague Jackie Baillie for bringing the issue to the chamber's attention.

As one of the last members to contribute to the debate, I am sure that I will repeat many of the key points that have already been made, but I wanted to add my voice to the voices of those who are calling for a solution to the horrendous problem that is being experienced by young people who seek palliative care when they transition from child to adult services.

As someone who has visited Robin house and Rachel house, I know about the tremendous work that CHAS does in supporting not only the young people who require its services from the very first stages to the very last stages of their lives, but their friends and family. Whether it takes the form of providing respite care, at-home care, spiritual care or end-of-life care, it is a vital service and one that many people have benefited from over the past 21 years.

As others have mentioned, CHAS currently supports 41 young people over the age of 21 and their families. Those 41 families and young people would not get the support that they require if the charity decided that it had to remove the funding now. Where would those 41 young people go? Who would care for them in the ways that they require? Who would support them in the ways that CHAS does at the moment? Would they turn to their health board, their local authority or another charity, or would they, as is often presumed, turn to another hospice?

We all know that current hospice provision in Scotland does not meet the demand from patients who require the service. I have had family members who have been fortunate to secure a bed at St Andrew's Hospice in Airdrie at their time of need. I know at first hand how amazing the staff at that hospice are. They go out of their way not only to support our loved one, but to make sure that we have the support that we need to make it through the day. I know that that hospice would love to provide support to all those who require it, but it just does not have the capacity to do so. It does not have enough beds to support the demand for its services, and I am sure that it is not

the only hospice in Scotland that faces that problem.

That is the current situation but, following CHAS's understandable decision to introduce its transition policy, hospices such as St Andrew's will be required to help people who are currently helped by CHAS. That would mean helping young people—people of my age and younger—in a hospice that is not fit for their needs or the needs of their family. Of course, if a bed could not be found for someone, they would have to turn to their health board or local authority. Who will fund that? Who is going to make sure that such services would meet all the needs of the young person and their family in the way that CHAS does at the moment?

Members will know that I lodged a number of amendments to the Children and Young People (Scotland) Bill in relation to transition services. Those amendments related primarily to disabled young people and the issues that they experience in their day-to-day lives. Their main aim was to give support to disabled people and their families when they require it. It is a shame that the Government could not back those amendments at the time. I am sure that the measures that the amendments would have added to the bill would have made the transition situation much better for disabled young people and would have played a part in addressing the concerns that many people have in relation to palliative care.

When I wrote this speech, I asked myself the simple question, "Would I be content or happy with the level of services offered if it was me or my family member who needed them?" The answer was a resounding no, so I will not ask another family or young person to do what I would not do. I urge the minister to take on board the requests that have been made in tonight's debate, to listen to the requests of Robert Watson and to change the way in which we look at palliative care provision in Scotland for good.

18:29

Chic Brodie (South Scotland) (SNP): As Graeme Dey has suggested, we spend a lot of time talking about important issues such as the economy; indeed, we have just had two and a bit years of that. However, although such matters are important, we must never lose sight of the kind of society that we might wish to build—one that would, I believe, continue to be founded on Scottish care, compassion and support. I welcome the debate, because it brings all that home.

My name is Charles, but I am better known, sometimes regrettably but certainly historically—even hysterically—as Chic. I am also known to some as Chas, although that name has a greater

connotation as the acronym for the Children's Hospice Association Scotland.

After I came back from Europe in the mid-1990s, I lived in Milnathort and was occasionally able to visit Rachel house in Kinross, and those visits put my focus on increased business turnover and pristine balance sheets in its true perspective. Those visits have never left me; they are indelibly etched into my brain, even my soul. Indeed, in his emotional and eloquent speech, Jackson Carlaw indicated how much such occasions can affect us.

Occasionally—and too infrequently—such thoughts come back to the surface. As deputy convener of the Public Petitions Committee, I was privileged to be present at the meeting at which the committee was challenged by an excellent petition that had been brought by Robert Watson on behalf of the CHAS young adult council. The petition drew on the experience of adequate provision of respite care as essential in minimising the effects of illness and disability and thereby improving the quality of life for those with disabilities. However, as Mr Watson pointed out in his presentation, for young people over the age of 18, there might well be very little suitable respite provision—the services are already restricted to those under 21—and, consequently, the people who look after those with such disabilities do not get their intended and needed break.

The “problem”—if it is indeed a problem; I put that word in inverted commas—of creating suitable respite services for young disabled adults with life-limiting conditions arises partly because of medical advances. However, medical problems do not come with birthday cards or timetables. A disease that comes on at an early age will transit with very young children as they grow into young adulthood; they cannot tell their disease to stop when they reach the age of 21. Respite care that goes in tandem with clinical care for young adults and their carers might be that bit more expensive, but all we need is a bit of ingenuity and will in all NHS boards and local authorities. After all, respite care gives carers a break and reduces the health dependencies on the NHS that we know they have.

In a letter that the Public Petitions Committee received, an organisation that shall remain nameless said:

“The setting up of such a”

respite

“service might have knock on effects to existing respite services and make them unviable.”

It then went on to talk about the expense, but there was no mention of sociability or the frame or frames of reference of those young adults with lifetime disabilities, or, indeed, the carers associated with them.

It is estimated that between 2007-08 and 2012-13 the number of respite weeks provided in Scotland increased by 12,650, or 7.3 per cent. Although that is commendable, it is hoped that effective provision of more respite care will be generated through the integration of health and social care. Nevertheless, the sword of Damocles still hangs over the heads of those young people with life-limiting conditions.

Finally, I believe that local authorities and NHS boards have a responsibility to look at these services in the round and consider what I believe to be the advantageous benefits—including, yes, the cost benefits—of, and the need and demand for, substantial respite care and services for those young adults.

The Deputy Presiding Officer: Thank you very much. I now call the highly regarded Michael Matheson to respond to the debate.

18:34

The Minister for Public Health (Michael Matheson): Thank you, Presiding Officer.

I congratulate Jackie Baillie on securing time for this important debate. A number of contributions have been very interesting and thoughtful. I offer my thanks to Robert Watson for submitting his petition to Parliament last November, and for the work in the Muscular Dystrophy Campaign's “Give us a break—Hospice and respite care for young disabled adults in Scotland” report and Action Duchenne's “What About Us?” report.

I fully recognise the important value that respite breaks offer to young people in particular, not just in providing a break for the people who regularly care for them, but in giving those young people an opportunity to socialise and mix with individuals of their own age group. We need to ensure that that can take place in an age-appropriate setting.

I will digress slightly. Providing that type of respite for young disabled people across the country is not a new challenge. There has been a long-standing challenge in providing good, high-quality respite for young people with disabilities in a range of settings. For example, Red Cross house in Inverness traditionally had a very good reputation for providing that for individuals in the Highlands. I had experience of that in my previous role. There was also the Sue Ryder centre in West Lothian, which provided specialist care for young people with conditions such as multiple sclerosis for whom it was not appropriate to go into a nursing home or a hospital setting. Many of those facilities do not exist now, and there continues to be a challenge in being able to meet the necessary respite needs of young people with a disability.

I recognise in particular the important role that respite can provide to those with life-limiting conditions, such as muscular dystrophy. Jim Eadie highlighted the important value that such respite provision can have, as did Jackson Carlaw. It was made very clear how important young people feel that that can be. That is why it is also about ensuring that we deliver respite to young people in the right way. It must be person centred, safe and effective for them. Achieving that is not simply a case of the Government deciding what should happen; it is about working with the right stakeholders. That requires concerted effort.

Several members, including Nanette Milne and Chic Brodie, mentioned the opportunity that comes from the integration of health and social care through joint commissioning between local authorities and health boards and how they deliver services to ensure that they reflect much more the needs of their community. Some of the joint work that will be taken forward will give us an opportunity to achieve greater joined-up working in the area. Another option is self-directed support. That gives people the opportunity to take forward appropriate care in a manner that they feel is best suited to them.

I return to the important value that many people have found in CHAS. I, too, have visited CHAS and I acknowledge that it is not a mournful place in any way, as Jackie Baillie said. It is a cheery and very empowering place. It is empowering for those who use its facilities and it is an extremely rewarding place for both individuals and families, because of the fantastic care that it provides.

I understand and recognise the challenges that we now face as healthcare provision improves through the greater provision of, or improvements in, medication and health technology. That provides us with a challenge with those who have life-limiting conditions and are now living longer. That is a good challenge for us to have, but I recognise that we need to face up to it and address it much more effectively.

I am sure that no member would wish to give the impression that, since the petition that I mentioned was submitted, the Scottish Government has not undertaken any work in the area to try to address the matter. The Cabinet Secretary for Health and Wellbeing, Alex Neil, stated in his letter to the Health and Sport Committee and a letter to Jackie Baillie that a number of actions are being taken. For example, officials have been gathering information from our carer information strategy leads on NHS boards and our local authorities. That information indicates that pockets of very good work are being undertaken, but it also highlights other areas in which there is a lack of consistency across the country. There are deficiencies as well.

We have been working with COSLA and we are gathering information in three key areas. We are advanced in the process of establishing Scottish data to determine the scale of the issue, so that we properly understand the numbers. The numbers are small, but we need to understand them to move forward. We are also mapping the bed capacity and the quality of existing services. There is CHAS, but there are other options. We need to look at the different models and map them effectively. The other important work that we are undertaking is analysis of the economic evidence relating to running a bespoke service. We are taking forward a range of work.

Members have made comments and raised issues tonight in what seems to be frustration with what may appear to be a lack of progress in action on this issue. In the desire to be as helpful as I can, I undertake to convene a meeting with the interested parties to look at what more we can do to move the issue to the next stage. Where that will take us will depend on the evidence and information that we have gathered, but I hope that members will be assured that the cabinet secretary and I are interested in this matter. If it offers members—and those who are listening in the public gallery—further assurance, I will convene a meeting to look at where we are and what further steps are needed to drive the issue forward.

It is in everyone's interests to ensure that the young disabled people in our communities receive the best support and have the opportunity to lead as fulfilling and as full a life as possible.

Meeting closed at 18:42.

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