The Committee will meet at 1.30 pm in Committee Room 1

1. **Item in Private**: The Committee will consider whether to take item 7 in private.

2. **Gaelic Broadcasting Inquiry**: The Committee will take evidence from Alasdair Morrison, Deputy Minister for Enterprise and Lifelong Learning and Gaelic.

3. **Committee Work Programme**: The Committee will consider its future work programme.

4. **Committee Reporters’ Inquiries**: The Committee will review the inquiries being conducted by Committee reporters.

5. **Public Petitions**: The Committee will consider PE 380 by Mr David Macnab on behalf of the East of Scotland Supporters Association calling for the Scottish Parliament’s Education, Culture and Sport Committee to initiate an inquiry into how fans’ participation in the decision making process within senior Scottish football might be promoted.

6. **Subordinate Legislation**: The Committee will consider the following instruments under negative procedure—

   The Child Minding and Day Care (Registration and Inspection Fees) Amendment (Scotland) Regulations 2001, (SSI 2001/214)

   The Adoption of Children from Overseas (Scotland) Regulations 2001, (SSI 2001/236)

   The Protection of Wrecks (Designation) (Scotland) Order 2001, (SSI 2001/242)
7. **Children's Commissioner Inquiry:** The Committee will consider a summary of written evidence and agree a programme for the further work of the inquiry.

The following papers are attached for this meeting—

- Clerk's note on Gaelic Broadcasting (Agenda item 2) ED/01/23/1
- Clerk's note on Work Programme (Agenda item 3) ED/01/23/2
- Clerk's note on Committee Reporters' Inquiries (Agenda item 4) ED/01/23/3
- Clerk's note on PE 380 (Agenda item 5) ED/01/23/4
- Clerk's note on SSI 2001/214 ED/01/23/5
- Clerk's note on SSI 2001/236 ED/01/23/6
- Clerk's note on SSI 2001/242 (Above 3 notes agenda item 6) ED/01/23/7
- Adviser's paper on written evidence (Private Paper) (Agenda item 7) ED/01/23/8(P)

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Martin Verity  
Clerk to the Committee  
Room 2.7 Committee Chambers  
Ext. 85204  
Email: martin.verity@scottish.parliament.uk
## Papers circulated

| Clerk's note on Gaelic Broadcasting          | ED/01/23/1 |
| Clerk's note on Work Programme             | ED/01/23/2 |
| Clerk's note on Committee Reporters' Inquiries | ED/01/23/3 |
| Clerk's note on PE 380                     | ED/01/23/4 |
| Clerk's note on SSI 2001/214               | ED/01/23/5 |
| Clerk's note on SSI 2001/236               | ED/01/23/6 |
| Clerk's note on SSI 2001/242               | ED/01/23/7 |
| Adviser's Note on Written Evidence         | ED/01/23/8(P) |
|                                            | Private Paper |
EDUCATION CULTURE AND SPORT COMMITTEE

Gaelic Broadcasting Inquiry

1. At its meeting of 4 September 2001, the committee received a paper from the Deputy Minister for Enterprise and Lifelong Learning and Gaelic in connection with the committee’s inquiry into Gaelic broadcasting. The committee noted that the Deputy Minister would attend the committee’s meeting of 18 September 2001, to answer members’ questions on the issue of Gaelic broadcasting.

2. The meeting also agreed that a press cutting from Regional Film and Video, referred to by Michael Russell, should be circulated to members.

3. The following documents are attached for information:

   - “Paper on Gaelic Broadcasting” submitted by the Deputy Minister, for the committee’s meeting of 4 September (ED/01/22/4).

   - Press cutting from “Regional Film and Video”, September 2001, entitled “Gaelic Broadcasting in Crisis”.

Martin Verity
Clerk to the Committee
EDUCATION CULTURE AND SPORT COMMITTEE

Committee Work Programme

1. The committee agreed at its meeting of 27 June 2001 to hold a seminar in September, to discuss the key issues and priorities for the committee over the remainder of the Parliamentary session. This seminar was held from 10-12 September.

2. Members are invited to consider and agree a programme of work for the remainder of the Parliamentary session, and to agree to seek appropriate authorisation for the required committee travel.

3. Papers are attached showing the committee meeting time which is available to the committee, and a list of possible legislation which may require to be considered.

Martin Verity
Clerk to the Committee
At its meetings of 10 and 17 January 2001 the committee considered its programme of work and appointed reporters to work on inquiries, the remits of which were also agreed. The committee is invited to review the inquiries being conducted by its reporters, to consider any changes to the remits of the inquiries which may be required and to agree to seek appropriate authorisation for any required committee travel.
EDUCATION CULTURE AND SPORT COMMITTEE
18 September 2001

Petition PE 380: David Macnab, East of Scotland Supporters Association

The Petition

1. The petitioners request that the Scottish Parliament takes account of the recommendation made in the 5th Report of the European Committee, whereby committees of the Parliament should actively consider ways to promote fans' participation in the decision making process within senior Scottish football.

Action to date

2. The petition was considered by the Public Petitions Committee on 19 June 2001. The Public Petitions Committee agreed to seek the views of the Education, Culture and Sport Committee as to whether it would wish to carry out an inquiry into the issues raised by the petitioners.

Information

3. The recommendation from the 5th report of the European Committee and a copy of the petition are attached.

4. For the information of members this petition is an E-petition from the International Teledemocracy Centre at Napier University. The original of the petition is posted on their website and supporters are able to "sign" the petition if they agree with it. The supporting "signatures" are vetted for validity. A note on this process is attached.

Ian Cowan
Assistant Clerk

Martin Verity
Clerk to the Committee
For the Parliament

191. In the course of the Inquiry, a number of subjects were discussed which were outwith the scope of this investigation. Nevertheless, they were deemed important and it is suggested that other Committees of the Parliament may wish to take these forward in the near future. These include plans in relation to "supporters direct" to allow fans to have more involvement in the game, and football partnerships with a view to more significant moral and possibly financial support.
International Teledemocracy Centre

E-petition Brief
Public Petitions Committee
19th June 2001

1. E-petition summary details

1.1. Title:
"Investigation into Scottish football"

1.2. Petitioners:
The sponsor responsible for raising this petition was:
David MacNab
Vice Chairman
East of Scotland Supporters Association
37/1 West Ferryfield,
Edinburgh EH5 2PT.

1.3. Dates e-petition opened and closed:
The e-petition was raised on 22nd February 2001 and was closed on 31st May 2001, after running for a period of 14 weeks.

1.4. Statistical overview of signatures:
A total of 122 signatories signed the e-petition; 108 were from Scotland, 11 from England, 2 from Ireland, and 1 from Canada.

1.5. Validity of signatures:
123 names were entered into the e-petition data-base. There was 1 duplicate name bringing the actual number of signatories to 122. The e-petitioning system assigns each name with a confidence factor based on how well the name has passed a number of built-in confidence checks. 76 had a confidence rating of 7, implying that these names had passed all the confidence checks; 43 names were filtered to a confidence rating of 6 due to the fact that they did not enter an email address. 2 had a confidence rating of 5 since the same Internet provider (IP) address had been used more than 5 times previously. The confidence ratings indicated that 1 signatory had signed twice. One of these signatures was therefore removed.

2. Full e-petition text

We, the undersigned, declare that we are concerned that as football fans we have no direct influence on decisions taken by the Scottish Premier and Scottish Football Leagues; that decisions taken on gate prices and league organisation are implemented without any recourse to football supporters; and that as a matter of routine clubs, and organisations acting on behalf of the clubs should fully consult with football fans on issues of direct concern to them.

The Petitioner(s) therefore request that the Scottish Parliament takes account of the recommendation made in the 5th Report of the European Committee, whereby committees of the parliament should actively consider ways to promote fans participation in the decision making process within senior Scottish football.

The petitioners therefore request that the Education, Culture and Sport Committee initiate an Inquiry into the above issues.
EDUCATION, CULTURE AND SPORT COMMITTEE

18 September 2001

Scottish Statutory Instruments – SSI 2001/214

1. The Child Minding and Day Care (Registration and Inspection Fees) Amendment (Scotland) Regulations 2001, (SSI 2001/214) was laid on 29 June 2001, and is subject to negative procedure. It came into force on 1 August 2001, and will remain in force, unless it is annulled by the Parliament within 40 days, excluding the recess period, of being laid before the Parliament i.e. by 7 October 2001.

2. The purpose of the Regulations is to amend the principal regulations to increase the registration and inspection fees for providers of day care and child minders. Full details are contained in the Explanatory Note and Executive Note attached to the Instrument.

3. The Education, Culture and Sport Committee is the lead committee for this Order, and should report to the Parliament by 24 September 2001. There are no other committees to report to this Committee. The Minister responsible is Mr Nicol Stephen, Deputy Minister for Education, Europe and External Affairs.

4. The Subordinate Legislation Committee reported on this Instrument in its 31st Report, 2001, and determined that the attention of the Parliament and the lead committee should be drawn to this instrument.

5. A copy of the SSI, an Explanatory Note which is not part of the Order, the Executive Note and a copy of the letter of explanation to the Presiding Officer for the breach of the 21-day rule are also attached.

6. The Committee is invited to consider whether it wishes to make any recommendation in relation to the instrument. The Order is not subject to amendment.

7. A procedural note is attached for information.

ian Cowan
Assistant Clerk

Martin Verity
Clerk to the Committee
EDUCATION, CULTURE AND SPORT COMMITTEE

18th September 2001

Scottish Statutory Instruments – SSI 2001/236

1. The Adoption of Children from Overseas (Scotland) Regulations 2001 (SSI 2001/236), was laid on 18 June 2001, and is subject to negative procedure. It came into force on 2 July 2001, and will remain in force, unless it is annulled by the Parliament within 40 days, excluding the recess period, of being laid before the Parliament i.e. by 26 September 2001.

2. The purpose of the instrument is to impose requirements on a person who seeks to bring a child into the country, who is not habitually resident in the British Islands, for the purposes of adoption. The instrument also sets out procedures to be followed by adoption agencies and panels in respect of assessment and approval of adopters of a child from overseas. Full details are contained in the Explanatory and Executive Notes attached to the Instrument.

3. The Education, Culture and Sport Committee is the lead committee for this Order, and should report to the Parliament by 21 September 2001. There are no other committees to report to this Committee. The Minister responsible is Mr Jack McConnell, the Minister for Education, Europe and External Affairs.

4. The Subordinate Legislation Committee have reported on this Instrument in its 30th Report, 2001, and determined that the attention of the Parliament need not be drawn to this instrument.

5. A copy of the SSI, an Explanatory Note which is not part of the Order, the Executive Note and the explanation from the Executive for the breach of the 21-day rule are attached.

6. The Committee is invited to consider whether it wishes to make any recommendation in relation to the instrument. The Order is not subject to amendment.

7. A procedural note is attached for information.

Ian Cowan
Assistant Clerk

Martin Ventry
Clerk to the Committee
Instruments subject to annulment

The Adoption of Children from Overseas (Scotland) Regulations 2001, (SSI 2001/236)

1. The above instrument breached the 21-day rule. The Committee was not satisfied with the reasons given in the letter to the Presiding Officer and asked for further explanation.

2. In its response, reproduced at Appendix A, the Scottish Executive Education Department regrets that the rule was breached. The Department states that this was not intended as a discourtesy to the Parliament but was necessary to maintain a GB system of controls over intercountry adoption.

3. Scottish Ministers sought the view of the Parliament in debate on 4 April about adoption matters including intercountry adoption. The general view of Members was that, in the light of the controversy surrounding the intercountry adoption of US twins by the Kilshaws south of the border earlier in the year, controls should be tightened and a GB system maintained.

4. The Executive has provided a very full explanation of the difficulties encountered as a result of the policy requirement to keep in step with the English regulations and to ensure that the legislation is consistent on each side of the Border. In addition, the Scottish Ministers wished to avoid the possible consequences of delaying implementation of the stricter controls over the recess period. Now that the controls have been implemented on a GB basis, the Executive does not expect that there will be any further need to breach the 21-day rule for that policy reason.

5. The Committee recognises the Executive’s difficulty and takes no further point in this regard. The Committee therefore draws the Executive’s response to the attention of the Parliament and lead committee as providing the additional explanation requested.
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September 2001 Edition

CCG chief Matthew Maciver maintains that Gaelic broadcasting requires more revenue and commitment from government if it is to flourish.

GAEIC BROADCASTING CRISIS

MATTHEW MACIVER, Chairman of the Gaelic Broadcasting Committee, has said that Gaelic broadcasting has reached a crucial turning-point.

Maciver, who also said it is to be hoped that the Government will accept the argument that the people deserve a much better service than they presently receive, made the statement when he released the Committee's Annual Report for 2000/2001 in Stornaway on August 14. Maciver, who is now retiring from the CCG chairmanship and who has been a member of the Committee since its inception ten years ago, noted that financial constraints had a significant impact on CCG's operations in 2000/2001.

The highlight of the 1998 funding cut is that the Committee are no longer able to fund the 200 hours of programming envisaged in the 1990 Broadcasting Act with only 165 hours being funded this year.

Maciver advocated that the only prudent way forward is to implement the recommendations of the Milne Report that a dedicated Gaelic channel run by the Gaels themselves be established.

The problem created by reduced funding and the need for future investment is underlined in the Financial Statements, which show that the demand for programmes has exceeded by more than £1 million the Committee's ability to fund them.

Given the reduced amount of programme stock carried in the balance sheet the present output cannot be sustained by the Fund at its current level.

Although the report draws attention to the problems and challenges confronting Gaelic broadcasting it also demonstrates a high level of successful achievement: outstanding award-winning productions; growing audience appreciation and support as well as increased viewing figures; and the highest ever proportion of funding to the independent production sector.

Maciver said: "Despite the financial and legislative constraints under which CCG operates, we are pleased that we are still fulfilling our key objectives:

- Quality broadcasting in Gaelic:
- Support for education, culture and language development:
- Value for money through co-production and co-financing:
- Added value through ancillary product.
- Partnership ventures: training to meet present and future needs;
- Formulating coherent strategies for Gaelic broadcasting in the future."

I am proud to have been associated with CCG during a period of unprecedented growth in Gaelic broadcasting and I hope that it will have a major role to play as Gaelic communications develop even more in the future." Despite the gloomy report, in the eight months ending June 30 2001 the Gaelic Broadcasting Committee signed new production agreements for 106 hours of programming worth £5.5 million with Scottish broadcasters and independent producers. The largest share of the funding was allocated to independent producers. The distribution of contracts included £2.1 million to BBC Scotland, £4.3 million to the Scottish Media Group and £2.5 million to Nine independent producers. During the same eight-month period the Committee issued more than £5.2 million in production grants for the above programmes and others that had been previously contracted.