PUBLIC PETITIONS COMMITTEE

9th Meeting, 2006 (Session 2)

Wednesday 17 May 2006

The Committee will consider the following current petitions—

**PE504** Petition calling for the Scottish Parliament to take the necessary steps to stop convicted murderers or members of their families from profiting from their crimes by selling accounts of their crimes for publication.

**PE905** Petition by Ellie MacDonald and Faith Waddell, on behalf of Trinity Primary School, calling for the Scottish Parliament to consider and debate the use of excessive packaging in supermarkets with a view to encouraging the use of recycled alternatives.

**PE857** Petition by Mrs C A Jackson, Secretary, Comann nam Pàrant Ile agus Diùra, on behalf of Bowmore Primary School, calling for the Scottish Parliament to urge the Scottish Executive to take urgent action to ensure adequate provision of Gaelic language teachers.

**PE898** Petition by Mrs Lynne Simpson calling for the Scottish Parliament to urge the Scottish Executive to review the provision of maternity services in rural communities to ensure that the quality and access to services are retained locally.

**PE899** Petition by Hazel Reid calling for the Scottish Parliament to urge the Scottish Executive to review the operation of the Victim Notification Scheme to ensure that the victims of serious violent and sexual crimes are given the right to receive information about the release from prison of an offender who has committed a crime against them, regardless of the length of sentence imposed.

**PE816** Petition by Mrs Judith Hodgson calling for the Scottish Parliament to consider and debate the issue of financial compensation for individuals whose property values and businesses are affected by the construction of a windfarm development.
**PE829** Petition by Mrs Anne Ayres on behalf of Carntyne Winget Residents Association calling for the Scottish Parliament to consider and debate the impact of the housing stock transfer on Scottish communities.

**PE842** Petition by Mrs F C Bowman calling in the Scottish Parliament to urge the Scottish Executive to review the use of chloramines disinfectant in the treatment of drinking water.
Title of Petition:
Title of petition required Convicted murderers or members of their families profiting from their crimes by selling their account of their crimes for publication.

We the undersigned, declare that ......

We the undersigned declare that as the immediate families of innocent murdered victims, we have been left powerless under the Scottish Judicial System to stop the convicted murderer selling their account of their crimes for publication. We are also powerless to stop the convicted murderer from giving malicious or deliberately misleading statements in their accounts of their crimes which they have published. We trust the Scottish Petitions Committee will act on our concerns on this crucial matter, which has a harrowing effect on innocent murdered victim’s families. Bearing in mind the European Court of Human Rights ruling that everyone has right to free speech and freedom of expression, we the petitioners request that the Scottish Parliament give serious consideration to bring in the following legislation, which will give innocent murdered victims families the legal right to challenge in a court of law, false, malicious and deliberate misleading statements published by the convicted murderer or members of their families as factually correct. We the petitioners would like to make it very clear to Scottish Petitions Committee that we the innocent murdered victims families do not want to gain financially in any way, shape or form from such publication. We suggest that any monies ordered by the court in way of fines should be used to help rehabilitate innocent murdered victims families. Bearing in mind the European Court of Human Rights ruling that everyone has right to free speech and freedom of expression, we the petitioners request that the Scottish Parliament give serious consideration to bring in the following legislation, which will give innocent murdered victims families the legal right to challenge in a court of law, false, malicious and deliberate misleading statements published by the convicted murderer or members of their families as factually correct. We the petitioners would like to make it very clear to Scottish Petitions Committee that we the innocent murdered victims families do not want to gain financially in any way, shape or form from such publication. We suggest that any monies ordered by the court in way of fines should be used to help rehabilitate innocent murdered victims families.

The Petitioner(s) therefore request(s) that the Scottish Parliament .....
victims families to be given a full copy of the transcript of the trial. This will enable the innocent murdered victim's family to give a fully informed and accurate statement in any court action they are forced to take against the convicted murderer and the publisher. • Innocent murdered victims families to be given a full copy of the transcript of the trial. This will enable the innocent murdered victim's family to give a fully informed and accurate statement in any court action they are forced to take against the convicted murderer and the publisher. • Legal Aid must be given to innocent murdered victims families in such case. • In the interest of true justice for innocent murdered victims and their families we the undersigned would urge the Scottish Parliament to consider bringing in legislation that prevents convicted murderers or members of their families profiting from their crimes in the first instance.

First Petitioner's Details
Name: Mr/Mrs James/Margaret Watson

Second Petitioner's Details
Name: Mr/Mrs James/Kate Mooney
Telephone Number: 01698-325-9680

Association: Justice for Victims (Scotland)
Other relevant information:

We have approached the following government department on convicted murderers profiting from their crimes. Prime Minister Tony Blair, The Scottish Office, all MSP's, Jim Wallace Minister the Scottish Minister Justice and had 2 meeting with Home Office Officials, all of whom have quoted the European Court of Human Rights rulings on freedom of speech and freedom of expression. No of the aforementioned seemed interested in the right of innocent murdered victims to rest in peace or their families to have the legal right to try and rebuild their lives free from precaution and harassment from the convicted murderer or members of their families. No of the aforementioned seemed interested in the right of innocent murdered victims to rest in peace or their families to have the legal right to try and rebuild their lives free from precaution and harassment from the convicted murderer or members of their families.

On-line Submission Date: 7 May 2002

Please sign and date boxes below:

[Signature]

Date: 7-5-02

http://www.scottish.parliament.uk/cgi-bin/pubpet.cgi

02/05/02
Dear Michael,

Thank you for your letter of 1 February inviting my comments on the further correspondence provided by the Home Office in relation to petition PE504 about criminal memoirs, and on the issues raised during the Petitions Committee meeting on 18 January.

I now understand that the Home Office aims to submit a consultation paper during 2006. I can confirm that my officials are liaising with the Home Office regarding the consultation.

As I have mentioned previously I do consider it to be extremely important that, in matters which involve publication, a common approach is taken across the United Kingdom. We will continue to monitor the situation in England and Wales closely and will be in a position to ensure that we are able to respond quickly once we are clear on the approach that the Home Office intend to adopt. I am determined, however, that any response that we do make to this particular problem is robust and does not create cross border issues that might be exploited by those wishing to publish such memoirs.

I hope this is helpful.

CATHY JAMIESON
Public Petitions Committee – a template for public petitions

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Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available

Ellie MacDonald and Faith Waddell

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.
The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Katie Ellie MacDonald and Faith Waddell, on behalf of Trinity Primary School, calling for the Scottish Parliament to consider and debate the use of excessive packaging in supermarkets with a view to encouraging the use of recycled alternatives.

Additional information:
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Action taken to resolve issues of concern before submitting the petition:

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The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee’s consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature

Date 22nd September 2005

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:

The Clerk to the Public Petitions Committee,
The Scottish Parliament,
Edinburgh
EH9 1SF
Tel: 0131 348 5186 Fax: 0131 348 5088
CONSIDERATION OF PETITION PE905

I welcome the opportunity to comment on the petition PE905 by Ellie MacDonald and Faith Waddell, on behalf of Trinity Primary School, calling for the Scottish Parliament to consider and debate the use of excessive packaging in supermarkets with a view to encouraging the use of recycled alternatives.

Packaging is a vital part of modern life. For example, strong packaging is necessary to protect goods from being damaged whilst they are being transported from the factory to the shop and to make it difficult to steal the contents whilst they are on display. Strong packaging also protects food from being contaminated.

However, excessive packaging is a waste of natural resources. For that reason we believe that the companies that make and use packaging should take some responsibility for it when it becomes waste. To address this, companies are required by regulation to recycle packaging once it becomes a waste.

This has led to increased recycling. In 1998 the amount of packaging waste that was recycled or recovered (that is, used in other ways) was less than one third. By 2004 it was well over half. (The actual amounts were about 3,338,700 tonnes in 1998 and about 5,683,700 tonnes in 2004).

We are also taking steps to reduce the amount of packaging waste in shops. We are funding a body called the Waste and Resources Action Programme (WRAP) to run a programme to reduce retail products and packaging. A number of major retailers have signed up to a commitment with WRAP to tackle household packaging and food waste. This is a commitment to:

- Stop packaging waste growth by 2008
- Achieve reductions in packaging waste by March 2010
- Identify ways to tackle the problem of food waste
WRAP is also running an Innovation Fund, to encourage innovative design in products and packaging to minimise waste.

In addition, regulations – the Packaging (Essential Requirements) Regulations 2003 – are in place which require companies to minimise the amount of product packaging.

As well as packaging, I recognise that we need to do more generally in Scotland to reduce the amount of waste we produce. We recently issued a consultation on household waste prevention. This seeks views on what more we can do to reduce the waste we produce. It covers areas such as the design and manufacture of products; the sale of products by retailers; consumer behaviour; the role of communities; including the community recycling sector and the role of local authorities. A copy of this consultation can be found on the Scottish Executive’s website at http://www.scotland.gov.uk/Publications/2006/02/02131916/0

I hope this reassures the Petitioners that we take the issue of excessive packaging very seriously.

I am copying this letter to Sarah Boyack, the Convenor of the Environment and Rural Development Committee.

ROSS FINNIE
Dr James Johnston  
Clerk to the Public Petitions Committee  
The Scottish Parliament  
TG.01  
Parliamentary Headquarters  
Edinburgh  EH99 1SP

Dear Dr Johnston

Consideration of Petition PE905

Thank you for your letter of 12 January 2006 in which you invited comments on Petition PE905. SEPA supports and promotes waste minimisation and we share the petitioner’s concerns. These concerns were also raised by some European member states and a Directive on Packaging and Packaging Waste 94/62/EC was brought into force in 1994. As a result, many companies in the UK (including supermarkets) must now recycle a certain proportion of packaging waste. SEPA enforces these recycling targets through the Producer Responsibility Obligations (Packaging Waste) Regulations which were introduced in 1997. The requirement to minimise packaging use has also been included in the Directive but this is enforced by Local Authority Trading Standards and Consumer Protection Departments (through the Packaging (Essential Requirements) Regulations 1998).

Further information and guidance on the latter legislation may be obtained from the following links:

- The Packaging (Essential Requirements) Regulations 1998
- Department of Trade and Industry: http://www.dti.gov.uk/sustainability/packaging.htm

In addition to the regulatory regime, there are other waste minimisation initiatives focusing on reducing packaging waste. In particular, I would draw your attention to the activities of the Waste & Resources Action Programme (WRAP).

WRAP is currently working with thirteen top grocery retailers in a new initiative, called the Courtauld Commitment, to reduce the amount of packaging and food waste thrown away by the British public. Asda, Boots, Budgens, the Co-operative Group, Londis, Iceland, Kwik Save, Marks & Spencer, Morrison’s, Sainsbury’s, Somerfield, Tesco and Waitrose are all working with WRAP in order to:

- reduce packaging waste growth by 2008 through new packaging design
- deliver absolute reductions in packaging waste by March 2010
- identify ways to tackle the problem of food waste

Cont/d....
I have also included a copy of a leaflet about packaging minimisation that was produced by SEPA in 2001. Although some of the contents are now out of date, much of the guidance remains relevant.

I hope this information will be of some use but, if it would be helpful, a member of staff would also be more than happy to give a talk to the pupils of Trinity Primary School about packaging and packaging waste. If you would like to take up this offer or have any further queries, please contact Donald MacFarlane in the first instance on 01784 457713, by email: donald.macfarlane@sepa.org.uk or at the address on the previous page.

Yours sincerely

Campbell Gemmell
Chief Executive

Enc
Public Petitions Committee – a template for public petitions

Should you wish to submit a public petition for consideration by the Public Petitions Committee please complete the template below. Please refer to the Guidance on submission of public petitions for advice on issues of admissibility before completing the template. You may also seek advice from the Clerk to the Committee whose contact details can be found at the end of this form.

Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available

Mrs C.A. Jackson
Secretary

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

The petitioner requests that the Scottish Parliament....... 

Petition by Mrs C.A. Jackson, on behalf of Bowmore Primary School, calling for the Scottish Parliament to urge the Scottish Executive to take urgent action to ensure adequate provision of Gaelic language teachers.

Additional information:
Any additional information in relation to your petition, including reasons why the action requested is necessary, should not be included here. However, it may be appended to the petition and will be made available to the Public Petitions Committee prior to its consideration of your petition. Please note that you should limit the amount of any additional information which you may wish to provide in support of your petition to no more than 4 sides of A4.
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Request to speak:

Petitioners may request to appear before the Public Petitions Committee in support of their petition, although it should be noted that requests to speak will only be granted if the Convener considers that a brief statement from the petitioner would be useful in facilitating the Committee’s consideration of the petition. Due to the large volume of petitions being considered the Committee will usually only hear presentations on up to 4 new petitions at each meeting.

Please indicate below whether you wish to request to make a brief statement before the Committee when it comes to consider your petition.

Yes / No*

*Delete as appropriate

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature ...........................................................................................................

Date ....................................................................................................................

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:

The Clerk to the Public Petitions Committee,
The Scottish Parliament,
Edinburgh
EH99 1SP
Tel: 0131 348 5186       Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk
12 January 2006

Dr James Johnston
Clerk to Public Petitions Committee
Scottish Parliament
EDINBURGH
EH99 1SP

Dear Jim,

Scottish Parliament Public Petitions Committee – Consideration PE857

In response to your letter of 14 December 2005 we would like to comment as follows:-

As Magaidh Wentworth pointed out, the children’s education IS being compromised. We cannot stress enough that the children in Bowmore Primary School are in GME in order to become bilingual and to receive equally as good an education as in English Medium. The best years to learn another language are from 0-10 years old and the children are missing out by not having the correct number of teachers. The ICT support mentioned by Simon Forrest and subject teaching at secondary level can only be successful if the children’s Gaelic is up to a high enough standard. How else will the children cope?

As Magaidh also pointed out, teacher shortage should not be a parental problem. GME has been mismanaged in that the lack of teachers should have been addressed a long time ago. Why were the GTC recommendations not implemented in 1999 when they came out? Now that we are in a crisis situation with GME the Executive needs to HURRY UP and carry out the recommendations in the “Teachers Action Report”. We do not want teacher shortage to be our problem, or to have to keep pushing for our children’s education. The provision should be there.

We learned from John Farquhar Munro in the initial petition hearing that GME has only been assured in the system for two years now. News to us parents. Where is the concern for the children’s education? The parents assumed that the commitment was from both sides.

Nobody seems to have grasped the fact that it is the PARENTS who recruit for GME. How can we promote GME if it is in disarray and we are constantly having to fight for our children’s education?

We have gone as far as creating a website www.dhiura.com/teach_islay/ to try to recruit a teacher for Islay. Simon writes that the council has taken all reasonable steps to find a teacher. A copy of one of the advertisements they ran is enclosed, actual size. No incentives were advertised. GME recruitment would be far more successful if it was run centrally.
Has the Executive’s recruitment campaign, that Simon mentions, to be launched in 2005, started?

When Bòrd na Gàidhlig recruit their Education Officer, will this officer be able to cross council boundaries and pull GME together to be a national success?

How can one Recruitment Officer as recommended in the “Teachers Action Report” possibly cover this crisis?

Surely several officers are needed to cover all of the recommendations.

Islay has indeed adopted a distance learning route into teacher education as mentioned by Simon and it is admirable. However their PGDE Course was not publicly advertised. Potential Teachers missed out and therefore children will miss out too. This is another example of taking effective action, but not being as effective as possible.

Basically the parents need GME to be delivered properly everywhere before another generation of children loses out. We never expected a promised provision to be such hard work and so complicated. Islay should receive priority status due to the amount of disruption in the GME provision here to date.

Were the Gaelic Pre-School Council and the Gaelic Secondary School Teachers Association contacted for their input to this petition, as suggested by Rosie Kane MSP at the first hearing?

Simon says that Gaelic Education has been a National Priority since 2000. Why then do parents have to fight for full GME provision? It is disappointing and demoralising.

We would appreciate if you could include our petition PE857 on the e-petition web.

Yours sincerely

pp Comann nam Pàrant Ìle agus Dhiùra Committee

Enc Copy of Advert for Gaelic Medium Teachers
2nd February 2006

Dr James Johnston
Clerk to the Public Petitions Committee
The Scottish Parliament
TG.01
Parliamentary Headquarters
Edinburgh
EH99 1SP

Dear Dr Johnston

CONSIDERATION OF PETITION PE857

I refer to your letter of 14th December 2006, which was addressed to the Chief Executive and passed to me for attention.

In response to your letter please find enclosed comments in regard to the consideration of Petition PE857 from Argyll and Bute Council.

Yours sincerely

Director of Community Services

Covering letter from Argyll & Bute Cncl Feb 06
Argyll and Bute Council’s Submission to Scottish Parliament  
Public Petitions Committee Petition No. PE 857

Gaelic Medium Education – Argyll and Bute Council

Argyll and Bute is of pre- eminent strategic and symbolic importance to the past, present and future development of Gaelic. It is the traditional heartland from which the Gaelic language, its scholarship and Christianity spread to the rest of Scotland.

Argyll and Bute Council has consistently shown a desire to promote Gaelic language and culture and Gaelic development is one of the key objectives for the Council. In the last twenty years, Gaelic language and culture has experienced a remarkable renaissance across the council area. The authority currently makes provision for Gaelic Medium pre-school, primary and secondary education and is the lead authority for the national initiative, Gaelic Learners in the Primary School.

Gaelic Medium provision is currently available in Salen primary school on Mull, Bowmore primary on Islay, Tīre primary department, St. Columba’s primary in Oban, Sandbank primary in Dunoon and Strath of Appin by Oban. Associated pre-school and playgroup provision is available to support these GM primary schools.

GM pupils can continue their Gàidhlig studies in their associated secondary schools. Access to a range of secondary subjects through the medium of Gaelic is limited and dependent on availability of suitably qualified Gaelic speaking teachers. Islay High school currently offers Geography (On-line pilot) and History through Gaelic. Tobermory High school is also involved in the GM Geography On-line project. The authority is currently preparing for the transfer of the first GM pupils from Sandbank primary to Dunoon Grammar school in August 2007.

Argyll and Bute Council actively promotes GM provision in the media, press and at local social / information events. Parental awareness of the availability of GM provision is high as a result of this high profile approach to promotion. To date, the authority has not received a parental request for GM provision out with the areas where it is currently available, however if such a request were received, it would be given serious consideration if sustainable interest could be evidenced.

The shortage of Gaelic teachers is an on-going and serious issue for a rural authority like Argyll and Bute and the council has employed a range of strategies to address recruitment difficulties. Incentives offered to attract new teachers to the area have included: payment of re-location expenses; sponsorship of undergraduates; payment of Immersion course fees for teachers requiring to improve their Gaelic fluency; funded visits to GM provisions across the council area to
enable teachers to familiarise themselves with the school/area, and the support of a Quality Improvement Officer with responsibility for Gaelic education.

Personnel from Community Services provide information to both Aberdeen and Strathclyde University in relation to job opportunities and probationary placement in Argyll and Bute. This takes place prior to students completing their induction preference pro-forma.

In addition to the above, the 5-14 Quality Improvement Officer (QIO) with responsibility for Gaelic has visited the Gaelic department of both universities to appraise students of Gaelic opportunities in Argyll and Bute. Where local knowledge of students exists, the QIO personally contacts those she considers might be interested in teaching in Argyll and Bute Council.

The Head of Service and the QIO visited the General Teaching Council for Scotland ahead of the probation induction allocations to reinforce the specific Gaelic needs in Argyll and Bute.

The needs in Argyll and Bute are mirrored across Scotland and there are insufficient Gaelic teachers to meet demand country-wide. The problem is one of national recruitment. A national recruitment campaign is urgently required to increase the number of potential Gaelic Medium primary and secondary teachers.

In 2005 Argyll and Bute has established a partnership with the University of Strathclyde and the University of the Highlands & Islands Millennium Institute (UHIMI) to offer potential GM students access to the Post Graduate Diploma in Primary Education (PGDE) in their own locale. This is a similar model to the successful Lews Castle College distance learning programme.

The council established the partnership in an effort to address the acute shortage of Gaelic-Medium teachers by ‘growing our own’ teachers. The on-going vacancy for a second Gaelic teacher in Bowmore Primary School made Islay the ideal venue to launch the partnership.

One fluent speaking Gaelic student based in Ionad Chaluim Chille Ìle, is currently following the PGDE pathway to become a Gaelic Medium teacher. She will carry-out her school placement in Bowmore primary from January 2006 until the end of the course in May 2006. On successful completion of her PGDE studies, the student will be placed as a probationer teacher in Bowmore primary. On successful completion of her induction year it will be open to the Council to offer a permanent GM post at the school.
It is proposed to roll out a similar PGDE partnership in Oban, Lorn and Mull area as of August 2006. The Oban Times is carrying a feature on this development and other Argyll and Bute Gaelic initiatives early in January.

The authority has liaised closely with the Comann nam Parant group on Islay to ensure that parents are kept fully informed of developments. When the parents contacted the authority to discuss their plans to develop a website to highlight the attractions of the island and the teaching vacancy, the LA press office assisted them with their press release. A link to the parental website was also made to the LA corporate website to ensure maximum coverage. One individual from Utah, America has contacted the parental site with an indication of interest in the vacancy. The 5-14 QIO has replied to this expression of interest but has had no further response from the interested party.

The Gaelic Learners in the Primary School (GLPS) initiative noted above has ensured that more than 890 pupils are learning Gaelic as a second language in 40 schools across the council area.

GLPS involves training non-Gaelic speaking teachers to a level of linguistic proficiency commensurate with teaching Gaelic to learners in primary schools. The national GLPS trainer is an employee of Argyll and Bute. Building on the success of GLPS, the authority has established a partnership with Aberdeen University to develop a CPD pathway to enable GLPS trained teachers to acquire a qualification that would permit them to teach 5-14 Gaelic learners.

GLPS trained teachers will help to boost the number of Gaelic speaking teachers and there is already one GLPS trainee who is currently undertaking a Gaelic immersion course with a view to transferring to GM teaching.

In summary Argyll and Bute Council has clearly illustrated its commitment to the continued success of Gaelic provision for, both GM and Gaelic learners. Every effort will continue to be made to attract suitably qualified Gaelic teachers to vacancies as and when they arise and the authority will continue to drive the GLPS programme to widen access to Gaelic for all.
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Please enter the name of person and organisation raising the petition including a contact address where correspondence should be sent to, email address and phone number if available

| Mrs Lynne Simpson |

Text of petition:
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Petition by Mrs Lynne Simpson calling for the Scottish Parliament to urge the Scottish Executive to review the provision of maternity services in rural communities to ensure that the quality and access to services are retained locally.

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Mr Stewart Stevenson, MSP
Mr Alex Salmond, MP

Petitioners appearing before the Committee
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Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

Signature of principal petitioner:
When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature

Date 13th November 2005

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:
The Clerk to the Public Petitions Committee,
The Scottish Parliament,
Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
12th November 2005

To the Clerk of Public Petitions Committee

In support of urging the Scottish Executive to review the provision of rural maternity services to ensure that the quality and access to services are retained locally. A petition signed by 15,300 people from Fraserburgh and the surrounding area to save the 24 hour Fraserburgh Maternity Unit, which is under threat of closure by NHS Grampian. A march and rally was organised on 1st October to show the strength of feelings against the proposed closure over 600 people came out in the pouring rain to show their support. Plans to close the excellent 24 hour unit would have a huge impact on families in our community.

The new proposals are for a midwife to be available Monday to Sunday 9am – 5pm, what is supposed to happen between the hours of 5pm-9am? When there is no on call midwife. These plans want to make hospital stays shorter and make mums and their babies return to their own homes within 6-24 hours of the birth of their baby, mums will still be in pain and forced back into the pressures of life before they have had time to bond and get to know their baby and be mentally and physically prepared to go home, this will lead to more cases of post-natal depression, as it is an extremely emotional time where pressure is added as you have to be seen to cope.

Expectant mums will be expected to travel to either Peterhead (18 miles) only if the NHS decide to keep this unit open Aberdeen (46 miles) over an hour if there is no traffic and the weather is good, to deliver their babies and possibly even further mums have already had to travel to Edinburgh for a bed space as Aberdeen are too busy. Not everyone can drive or has access to transport and the Ambulance service is already overstretched, not to mention the mums that don’t make it to hospital on time there will be an increase in roadside births with no professional assistance which could lead to unnecessary deaths. Fraserburgh is the only town in Scotland with a population over 10,000 that is over an hour away from the nearest city hospital.

At the moment mums who have to go to Aberdeen to deliver are normally transferred to the local Maternity Unit after delivery. In 2004, 117 women with their new babies returned to Fraserburgh Maternity after a delivery in Aberdeen, these 117 women obviously did not feel able to return home. Some of the reasons they have given birth in Aberdeen are because they have to have a caesarean or have to be induced perhaps there have been
complications during pregnancy or may have developed complications during labour. Therefore the reasons to go to the City Maternity are not through choice. Women are really concerned about the lack of patient centred approach at Aberdeen Maternity and there will be no continuity of care as the midwives whom you have built up a trust with during your ante natal care will not be present at the labour. Women are gravely concerned with the cleanliness of Aberdeen maternity, the great risks to mum and new baby of MRSA, something I have personally dealt with when I had my baby at Aberdeen Maternity and would not wish on anybody especially at a time that should be so precious.

In 2004 68 babies were born at Fraserburgh Maternity. During the stay at the local Maternity unit Mums are given confidence and reassurance with their new babies in addition they receive excellent support with breastfeeding to which there is a national campaign promoting breastfeeding, Fraserburgh Maternity offers excellent support and advice when learning the sometimes very difficult task of breastfeeding. With out this support in the early days Mums will and do give up when they return home. Learning to Breast feed would be a lot harder in the short time that a Midwife would be visiting a Mum at home.

The impact the proposed closures of excellent local maternity hospitals will have on families, not being able to visit hospitals as they are too far away and don’t have access to transport, if families already have children they will be restricted to visiting at certain times as they have to travel a possible two hour round trip if they have transport if not it will take 4 hours on a bus, making family bonding more difficult at what can be a very difficult time.

On behalf of the people of Fraserburgh and surrounding area I thank you for taking the time to read this and hope you will consider this petition. The people of Fraserburgh are not against NHS Grampian bringing new services to Fraserburgh they are much welcomed but we are not prepared to see our excellent maternity unit taken away in a bid for NHS Grampian to make cut backs to cover their debts, patient care must come first.

Yours sincerely

Mrs Lynne Simpson
SCOTTISH EXECUTIVE

Deputy Minister for Health & Community Care
Lewis Macdonald MSP

Michael McMahon
Convener of the Public Petitions Committee
Scottish Parliament
EDINBURGH
EH99 1SP

Our ref:
7 February 2006

Dear Michael

Thank you for your letter of 15 December 2005 about Petition PE898 requesting a review of the provision of maternity services in rural communities. I will deal in turn with the points raised in the Committee's meeting of 7 December.

It might be helpful if I clarify the position of the Fraserburgh maternity unit. The unit is midwife-led, and is one of a number of similar units operated by NHS Grampian. As part of its consideration of local health service provision across the area, NHS Grampian commissioned last year a programme of pre-consultation work on services for older people, development of local diagnostic and treatment services, and local maternity services. I understand that this programme has included a series of public meetings, externally facilitated focus groups, and questionnaires. I further understand that the pre-consultation programme is now complete and that NHS Grampian are currently considering the results. One possible outcome of this consideration is that the Board may conclude that changes to services are desirable. If so, proposals for change would be subject to full public consultation. The present position, therefore, is that NHS Grampian have made no decisions about future patterns of local maternity services in Fraserburgh or elsewhere in their area.

You will be aware that any proposal for significant service change must be submitted to the Health Minister for final approval. Andy Kerr would consider any proposal put to him in the light of all relevant information, including the outcome of public consultation. In the meantime it would not be appropriate for either Andy Kerr or me to comment on possible future patterns of local maternity services in the Grampian area.

The Committee also sought clarification about national maternity service policy issues. Andy Kerr and I expect all NHS Boards to plan and deliver services in line with Delivering for Health, which as you know sets out our response to Professor David Kerr's report on future patterns of healthcare
provision in Scotland. In *Delivering for Health* we emphasise the importance of locally-provided services wherever that is possible, consistent with sustaining clinical quality. We have also emphasised the need for NHS Boards to consider the needs of all their residents, particularly given the challenges of an ageing population and growing incidence of chronic conditions. This means NHS Boards examining their use of resources to maximise the benefit to all patient groups, as part of maintaining a service focus that is as local as possible.

As regards midwife-led maternity care, the Expert Group on Acute Maternity Services (EGAMS) made clear that this model of care has a vital role to play as part of a range of maternity services. Midwife-led units are likely to be particularly important in rural areas where alternatives to consultant-led care will be desirable in the context of offering local service options. However there is no one model of service delivery that fits all parts of Scotland and Boards are encouraged to innovate to ensure that the services they offer meet the demands of the local community, represent effective use of resources, and are safe and sustainable.

It is for NHS Boards to plan and deliver services that best meet the needs of all of their residents. In relation to rural communities, the Committee will want to note that we plan to establish a National Maternity Services Support Group shortly. This will cover all aspects of maternity services, including a focus on remote and rural maternity service issues, in line with the commitment given in *Delivering for Health*.

I hope that this is helpful. Please let me know if the Committee requires any further information.

LEWIS MACDONALD
Dear Dr Johnston

The Scottish Parliament Public Petitions Committee
Consideration of Petition PE898

Thank you for your letter of 11 January 2006 giving NHS Grampian the opportunity to comment on the above.

I’d like to provide some background and context before responding specifically to the consultation and decision-making points raised in your letter and then conclude by addressing the issues highlighted in the letter of petition from Mrs Lynne Simpson.

Background

The current review relates specifically to the delivery component of midwife-led maternity units based in rural Aberdeenshire. As such this review is being led by Aberdeenshire Community Health Partnership with the full involvement and support of NHS Grampian Senior Management Team.

It is important to consider the maternity services review in the context of Aberdeenshire CHP /NHS Grampian Change and Innovation Planning process. The Aberdeenshire component of the C&I plan is focussed on three inter-dependant components, namely:

1 Older People’s services
2 Diagnostic and Treatment Services (DTS)
3 Maternity Services

(See Appendix 1)

These areas of focus are being driven partly by the changing local and national demographic profile, which is resulting in a significant increase in the elderly population with a coinciding decrease in the number of births.

The interdependency of the above components relates not only to the demographic drivers as outlined above but also in how we deploy the resources available (human resource, physical space and budgets) to address the changing health needs of the population.

Continued
A key factor for early consideration is that the five midwife-led units in Aberdeenshire currently deliver approximately 20% of babies who fall into the respective catchment areas - a figure consistent with the national average. (As identified in recently published Maternity Services Workforce Planning – Baseline Report, - Dec 2005). This figure is diminishing year on year, in line with falling birth rates and means that the busiest unit delivers on average 2 babies per week with the remainder delivering and average of 1 baby or less per week. All of these units are staffed on a 7/24 basis and, therefore, their cost effectiveness in terms of the best use of taxpayers’ money is also a concern to NHS Grampian. This level of utilisation in a Grampian context means that, of the over 5000 babies born annually across Grampian, only 5% are delivered in Community Hospitals (see Appendix 2), the remainder being delivered in Aberdeen or Elgin at specialised Maternity Hospitals. This raises questions over equity of provision. The position is compounded by the fact that mothers receiving longer post-natal stay and “hotel service” input arising from fully staffed units looking after one or two mothers are in fact the low-risk mothers. It could be argued that any “positive discrimination” should be targeted at mothers at higher risk clinically.

Consultation and decision-making processes

The CHP in Aberdeenshire comprises management, clinical, local authority and voluntary sector, as well as public representation. This partnership has taken a rigorous approach to consultation around the above elements, including:

- Externally facilitated focus groups (report attached - Appendix 3)
- 14 Public meetings (report attached – Appendix 4)
- A large scale questionnaire (draft report attached – Appendix 5)
- Local Authority Councillor briefing
- MSP briefings
- Staff briefings
- Scottish Health Council briefings

The CHP has also ‘benchmarked’ services against other areas in Britain that share a similar demographic and geographic profile with Aberdeenshire.

The consultation has also considered written comment from many members of the public as well as interest groups such as the National Childbirth Trust and other mid-wife led maternity service ‘champions’ such as Montrose Maternity Action Group.

In response to the level of public concern within Fraserburgh, the CHP has made additional provision to consult with the local community. This has taken the form of two public discussion groups dealing with Diagnostic Treatment Services / Older People and Maternity Services respectively. These meetings resulted in the formation of a Fraserburgh public panel, drawn from members of the public who attended a previous meeting, local MSP, Councillors, Community Councillors, local lobby groups and NHS Staff.

The majority view emerging from the consultation exercise is that the proposal relating to Diagnostic Treatment Services and Older People’s services are warmly welcomed. However, there is resistance to the proposals relating to maternity services in the towns directly affected by the proposed removal of the delivery component of maternity services.
Central to the concerns around maternity services is the provision of antenatal and postnatal services as well as the provision of an out of hours advice service. These points have been taken on board by the CHP and, therefore, recommendations around a revised maternity service provision within Aberdeenshire will address these key concerns.

Overall, the consultation has shown strong support for the proposed changes when looked at as “a package” of Diagnostic Treatment Services, Older People Services and Maternity Services.

This is best demonstrated in the findings of the ‘Citizen’s Panel’ questionnaire as demonstrated in the following table:

<table>
<thead>
<tr>
<th>Citizens Panel</th>
</tr>
</thead>
<tbody>
<tr>
<td>To what extent are the proposed changes a bad or good idea?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Very Good</th>
<th>Fairly Good</th>
<th>Neutral/Unsure</th>
<th>Fairly bad</th>
<th>Very bad</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diagnostic and Treatment Services</td>
<td>63%</td>
<td>26%</td>
<td>5%</td>
<td>3%</td>
<td>1%</td>
</tr>
<tr>
<td>Services for older People</td>
<td>52%</td>
<td>33%</td>
<td>9%</td>
<td>3%</td>
<td>2%</td>
</tr>
<tr>
<td>Maternity Services</td>
<td>28%</td>
<td>22%</td>
<td>26%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>For health services overall</td>
<td>33%</td>
<td>43%</td>
<td>15%</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Note: the Citizen’s Panel is a representative sample of 1200+ Aberdeenshire residents. The panel is used by all Community Planning partners in Aberdeenshire and is facilitated by an external consultancy. The above figures are based on a 66% return.

The above consultation response has been factored into final decision-making along with the following:

- Demographic change and projected health need
- Clinical safety
- Midwifery & Obstetric practice
- Kerr Report
- Recruitment & retention difficulties
- Financial cost consideration
- Opportunity cost consideration

The likely timescale for final decision on the cessation of the delivery component of maternity services in the midwife-led units in Aberdeenshire, is mid 2006. The CHP will make recommendations to the Board of NHS Grampian in March 2006. Pending any amendment and acceptance of the recommendations, the Change and Innovation Plan for Aberdeenshire will form part of the NHS Grampian Health Plan. The Health Plan will be subject to the usual statutory consultation prior to being submitted for Ministerial approval.

Continued
Points relating to letter of petition

Firstly, both the CHP and NHS Grampian have engaged directly with Mrs Simpson on the issues she raises in her letter. Indeed Mrs Simpson is a member of the aforementioned Fraserburgh Public Panel. However, I would like to address the following specific points contained within her letter:

- The CHP acknowledges strength and depth of feeling within Fraserburgh as demonstrated through both petition and the public rally.
- As already mentioned, the CHP has committed to address concerns relating to an out of hours service for maternity advice.
- The move towards shorter hospital stay postnatally following normal delivery is consistent with current professional guidelines. Professional opinion is that this enhances the bonding process between mother and baby. Under the proposals, such a move would be supported by an enhanced community midwifery service (for both ante and postnatal care) made possible by no longer having to staff frequently empty delivery units.
- Mothers in Fraserburgh will have the choice of delivery either at home within a Midwifery Unit at Peterhead (18 miles distant) or at Aberdeen Maternity Hospital. Currently, 80% of mothers in Fraserburgh deliver in Aberdeen Maternity Hospital as a result of risk assessment or choice.
- The transfer of mothers and babies from Aberdeen to units elsewhere in Scotland pertains only to neonates requiring intensive care when the capacity to provide this in Aberdeen Maternity Hospital exceeds available capacity. This is co-ordinated nationally with reciprocal agreements in place across Scotland. This is a rare event, which captures media attention leading to a false perception among the public that normal births are transferred due to lack of space. No normal births have been transferred outwith Grampian due to lack of capacity locally.
- The points made in relation to the perceived poor experience of delivering a baby in Aberdeen Maternity Hospital have been registered by NHS Grampian and initiatives put in place to address these. The first phase of improvements to the fabric of the ward accommodation has been completed and public involvement will be sought to help address the remaining concerns raised.
- The excellent service provided by midwives in Fraserburgh (and other midwife-led units), is recognised and it is anticipated that ante and postnatal care will be enhanced should the delivery component cease and the community component be developed.

Experience of developing the proposed model elsewhere in Aberdeenshire, suggests that improved ante and postnatal care will not only result, but that the work satisfaction for midwives will be enhanced.
Finally, I must emphasise that while the review of services in Aberdeenshire (including Maternity Services) will be assessed on the basis of value for money and opportunity costs, final decisions will not be taken purely on the basis of addressing the current NHS Grampian overspend. NHS Grampian has other plans for addressing its financial position.

Yours sincerely

Richard M Carey
Chief Executive
To: Johnston JD
Cc: Hough R
Subject: RE Petition PE898

Dear Dr Johnston

RE Petition PE898

Below is the submission from the Royal College of Midwives UK Board for Scotland written by Gillian B. Lenaghan, National Officer, Royal College of Midwives UK Board for Scotland.

Stuart Bonar
Public Affairs Officer
Royal College of Midwives

The Royal College of Midwives UK Board for Scotland are grateful for the opportunity to contribute to the discussions which will take place at the Public Petitions Committee about Remote and Rural Maternity Services.

Professor David Kerr in his report to the Scottish Executive was very quiet on the subject of Maternity Services because he felt they were already being dealt with through other channels. We welcome in the Executive’s response that there is to be a National Maternity Support Group

The RCM supports the need to deliver services as far as possible in local communities and is a concept enshrined in Midwifery Practice. For the purposes of this we support a continuing commitment to improved communications links together with opportunities to input into policy and service development in all areas. The provision of care in remote and rural areas will be greatly assisted by improved telecommunications links for professionals as well as investment in existing and developing telemedicine techniques that may be used by women and professionals in remote locations.

In recognising the developments in community care we would want to ensure that secondary and tertiary maternity services provide the right models of care in the right place. The provision of low intervention midwife led care has become a cornerstone of maternity services in Scotland today whether this be remote or alongside tertiary units. This has been driven largely by the geography of the area or support from the service providers.

In the last three to four years we have seen a number of low-risk midwife-led care services springing up throughout Scotland sometimes driven by the sheer shortage of obstetricians and paediatricians but also must be looked at together with a falling birth rate. The staffing of these units takes various forms but there has been a noticeable move away from staffing units when the bed occupancy is very low as this is seen not to be a financially-viable option nor indeed particularly interesting for the staff who are potentially staffing empty beds.

A number of areas have looked at staffing these units from an on-call basis but only when this is supported by the local midwives who are delivering the service. That would mean a midwife available 24 hours per day although not necessarily on-site if the unit is empty.

All the midwives operating in these units have received expert training or in the process of receiving it to allow them to cope with emergencies in the absence of medical staff. This has been a very successful programme of education that the RCM would like to see continued in Scotland.
The RCM has consistently demonstrated a willingness to engage with development and improvements in maternity services for Scotland. Members of the College have repeatedly demonstrated their loyalty to the services they provide in the improvement of care for women and their families. Therefore we welcome the commitment of the committee to debate these issues.

Gillian B. Lenaghan
National Officer
Royal College of Midwives UK Board for Scotland

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17/03/2006