PETITION TO THE SCOTTISH PARLIAMENT

The petitioners Elaine Black and Ewan Kennedy request that the Scottish Parliament:

"reform the law of trust to ensure that where a trust has been set up for the benefit of any local community that local community is formally consulted by any party seeking to change the operation of the trust and the views of each member of that community is accountably considered before any change is made."

Details of petitioners:

Elaine Black, on behalf of Save Dowanhill Tennis Club Action Group

Ewan Kennedy, on behalf of Glasgow Green Space Trust

This petition is further supported by, among others:

Pauline MacNeil MSP; Sandra White, MSP; Bill Aitken, MSP; Patrick Harvie, MSP; Robert Brown, MSP; Dennis Canavan, MSP; Ann McKechnie, MP; Glasgow University Sports Association; National Playing Fields Association; Bruce Woodger, chairman of Dowanside Road Residents’ Association, Glasgow; Sheena Stark, Beaumont Gate Residents.Glasgow; Jane Skinner, Western Tennis and Fitness Club, Hyndland Road, Glasgow. Bill Mann, secretary of The Western Baths, Cranworth Street, Glasgow; Coun Niall Walker (Hillhead).
Dear Dr Johnston

CONSIDERATION OF PETITION PE817

Thank you for your letter of 16 March inviting the Scottish Executive to respond to comments made by the petitioner, Elaine Black and Ewan Kennedy, on our reply of 19 April 2005 to the Committee in respect of petition PE817 which calls for a reform of the law of trust. I am sorry not to have been able to meet your deadline for reply and am grateful for the extension given.

The Executive’s response of 19 April 2005 advised of the remedies available under the law where there is a breach of trust and there is little I can usefully add.

We are unable to comment on the further factual information contained in Elaine Black’s letter.

Mr Kennedy suggests that sports clubs like Dowanhill Tennis Club should be subject to the same regulatory regime regarding the disclosure of information as Scottish public authorities under the Freedom of Information (Scotland) Act 2002. We believe that the petitioner is making reference to the powers under section 5 of the Act - further power to designate Scottish public authorities. This section provides Ministers with the power to make an order designating a body as a Scottish public authority for the purposes of the Act if they appear to exercise functions of a public nature; or are providing a service which is a function of a Scottish public authority under a contract with that authority. Ministers have not yet used these powers. The Executive’s consultation on Freedom of Information - one year on has recently closed. The consultation raised the issue of the criteria which may be appropriate for designating bodies under section 5. The responses to the consultation are being considered and an analysis will be published in due course. However, from our understanding of the position of sports clubs, it is unlikely that they could meet the criteria specified in section 5.

Yours sincerely

Lorna Brownlee
The Office of the Scottish Charity Regulator (OSCR) Response to Petition PE817 to the Scottish Parliament by Elaine Black and Ewan Kennedy

1. Background

1.1 The petitioners request the Scottish Parliament to:

"reform the law of trust to ensure that where a trust has been set up for the benefit of any local community, that local community is formally consulted by any party seeking to change the operation of the trust and the views of each member of that community is accountably considered before any change is made."

2. Office of the Scottish Charity Regulator

2.1 The Office of the Scottish Charity Regulator (OSCR) is the statutory regulator of charities in Scotland. OSCR is an independent statutory public body, its general functions under the Charities & Trustee Investment (Scotland) Act 2005 (the Act) are:-

- to determine whether bodies are charities;
- to keep a public register of charities;
- to encourage, facilitate and monitor compliance by charities with the provisions of the Act;
- to identify and investigate apparent misconduct in the administration of charities and to take remedial or protective action in relation to such misconduct; and
- to give information or advice, or to make proposals, to the Scottish Ministers on matters relating to OSCR's functions.

2.2 In its role as the regulator of charities in Scotland (under the Act a "charity" is defined as any body entered in the Scottish Charity Register), OSCR deals with all types of charitable organisation, including public trusts. Any trust set up for the benefit of the local community is by definition a public trust. However, only charitable public trusts are regulated by OSCR.

2.3 The petition states it seeks to reform the law of trust in case of where a trust has been set up for the benefit of any local community. It is therefore presumed that the petition is discussing public trusts.

3. Charitable Public Trusts

3.1 The Act clarifies the responsibilities of charity trustees and introduces new responsibilities, including the requirement to seek consent from

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1 In the Act the term 'charity trustees' is defined as being 'the persons having the general control and management of the administration of a charity' (section 106). In an individual charity the charity trustees may be referred to differently, for example if the charity is a company, the charity trustees will be the
OSCR in relation to certain actions a charity (and therefore, in the cases we are discussing here, a charitable public trust (CPT) may wish to take. These actions are:-

- amending the trust deed so far as it relates to its purposes;
- amalgamating with another body;
- winding itself up or dissolving itself; and
- applying to the court in relation to any action set out above

3.2 The above actions may include "changing the operation of the trust" to which the Petition relates, if the exchange amounts to a fundamental change of purpose. The provisions in the Act that are relevant to reorganisation are sections 16 and 39-43. Again, it should be emphasised that only those public trusts which are charities are subject to these provisions.

3.3 Section 16

3.3.1 Section 16 allows CPTs to make certain charges provided that they have obtained consent to do so from OSCR and that they have sufficient power in their trust deed to make such changes.

3.3.2 The following general criteria need to be met before OSCR will consent to a change under s.16:-

- the proposed action has to be possible under the terms of the trust deed (if not, then ss39-43 may be available – please see below);
- the change cannot result in the CPT having non-charitable purposes or in some other way no longer meeting the charity test;
- the decision to give effect to the proposed action must be taken in accordance with the requirements of the trust deed; and
- the change must not result in the assets being applied for non-charitable purposes or in a way not allowed for by the trust deed.

3.3.3 The Act does not set out any specific criteria that OSCR needs to consider before granting or refusing consent under s.16 but it does allow OSCR to attach conditions when it gives consent to the actions a CPT proposes to take.

3.3.4 The conditions that OSCR may attach will depend on the individual circumstances of the CPT, but will be related to ensuring that the general criteria set out above are met.

directors; if it is a trust, it will be the trustees; and if it is an unincorporated association, it will be the (management) committee members.
3.3.5 OSCR will, in the vast majority of cases, not attach publicity conditions to consents granted under section 16. However, there may be exceptional circumstances in which OSCR will wish to do so, for example to ensure that the beneficiaries of the CPTs are sufficiently aware of the proposed changes, if we have well founded reasons to believe that they may not be.

3.4 Sections 39-43

3.4.1 Where the trust deed does not allow for the desired changes to be made, it may be possible to use the reorganisation provisions of sections 39-43 of the Act. These sections may allow CPTs which do not otherwise have the power in their trust deed to reorganise themselves to do so with OSCR’s approval.

3.4.2 Under section 39 OSCR may approve a reorganisation scheme of such a CPT as long as:-

(a) Certain criteria are satisfied (referred to as the ‘reorganisation conditions’ and set out in section 42(2));
(b) It enables the resources of the charity to be applied to better effect for charitable purposes consistently with the spirit of the constitution or it enables the charity to be administered more effectively.

3.4.3 Sections 39-43 have not yet come into force and the Regulations setting out the detailed procedures for how OSCR should deal with these applications are not yet available. The Regulations could provide for publicity conditions in relation to proposed reorganisation schemes, requiring charitable public trusts to publicise their intentions to reorganise and allowing for objections to the proposed reorganisations to be lodged.

4. Non-Charitable Public Trusts

4.1 If the trust deed of a non-charitable trusts allows for a change in operation, i.e. reorganisation, transfer of assets or amalgamation then the trustees can take this action.

4.2 Where the trust deed of a non-charitable public trust does not allow a change to be made and wishes to reorganise it may be able to do so under sections 9, 10 and 11 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 and will be subject to the publicity conditions required under those provisions, which also incluce a right to lodge objections to the proposed change. OSCR, in dealing with over 80 trust re-organisations under s 10 and s 11 since December 2003 on behalf of Scottish Ministers, did not receive any third party objections.
Draft

4.3 Sections 10 and 11 deal with small public trusts with incomes less than £5000 or £1000 respectively, who do not have power within their trust deed to reorganise. Under section 10, the trustees, after a majority decision, may resolve to transfer the assets of a trust to another public trust, to amalgamate with two or more trusts or modify the trusts purposes. Section 11 enables trustees, after a unanimous decision, to spend the capital of the trust, without necessarily transferring assets to another trust.

4.4 Trustees of larger public trusts may apply to the Court in respect of reorganisation, transfer, or amalgamation of two trusts or more. The court in these cases would work to ensure that any reorganisation proposed by trust will enable the trust to continue working consistently with the spirit of the original trust deed.

4.5 In limited circumstances public trusts may be able to apply to the court to make changes to their constitution which could allow them to change their "operations". These include an application to the court under its cy pres jurisdiction, under section 5 of the Trusts (Scotland) Act 1921 and under section 1 of the Trusts (Scotland) Act 1961.

5 Petition

5.1 As the regulator of charities, and charitable public trusts amongst them, OSCR's prime concern in consenting to a change under section 16 of the Charities and Trustee Investment (Scotland) Act 2005 is to ensure that the assets of the trust will remain to be used for charitable purposes.

5.2 When approving reorganisation schemes of charitable public trusts under section 39 of the Act we will further need to be ensured that the resources of the charity will be used to better effect for charitable purposes consistent with the spirit of the original trust deed, or that the trust may be administered more effectively.

5.3 Therefore, in order to create greater security around the future application of a public trust's assets, trustees of public trusts could consider the benefits of becoming a charity.

5.4 So far as third parties are concerned, the 2005 Act does not envisage a 3rd party right to object where the trust deed of a charitable public trust allows trustees to effect a change of constitution or operations and where consent to do this is sought (and given) under section 16. The new trust reorganisation Regulations may however allow for objections in respect of an application for a reorganisation under section 39. Nevertheless even if they were to do so, the Act does not give third parties any right to seek a review or appeal of OSCR's decisions.
14/05/06

Dear Dr Johnston,

I am writing to express my concern about a letter written on April 6, 2005, by Sportscotland regarding petition PE817, currently being considered by the Public Petitions Committee. The letter was in response to a request by committee members for clarification from Sportscotland regarding its position on the proposed sale of Dowanhill Lawn Tennis Club, in Glasgow. It was a measured and neutral reply, confined merely to listing terms and conditions pertaining to grants issued by the Scottish Sports Council and its successor Sportscotland.

Mr Ian Taylor, Chief Executive of Sportscotland, failed to adopt a strong stance with regards to clubs which close their memberships with the express purpose of selling what has now become valuable development land for private profit. This was particularly baffling as in the same letter he clearly stated that small amateur sports clubs given Lottery Funding post-1995 are now protected from this eventuality by appropriate dissolution clauses.

I am now extremely concerned to hear, in the public press, that Sportscotland did not feel it was necessary to inform MSPs that it may be entitled to a ‘claw-back’ of £1.5million should Dowanhill be sold. This is as a result of an original grant of £13,000 given to Dowanhill Tennis Club in 1982.
Nor has Sportscotland, despite two Freedom of Information requests submitted in 2005 and 2006 on our organisation’s behalf, confirmed or denied that this is so. I feel that if Sportscotland is asked to comment on the sale of Dowanhill Tennis Club, at the very least MSPs – and indeed local councillors, as a planning application is due to be lodged in the near future - are entitled to know if there are reasons why it does not oppose the sale.

I further understand that if Sportscotland decided to invoke the original grant conditions and receive this money it would be passed to Tennis Scotland who have also been deafeningly silent on this matter. While plans to replace the four excellent courts, floodlights and clubhouse at Dowanhill by upgrading three derelict courts at Partickhill Bowling Club are being mooted as an alternative facility, it is inconceivable that more than £1m would be spent on this site. Effectively, the above sporting organisations would be condoning the destruction of our recreational space for profit both on the part of Dowanhill members and, I suspect, elite tennis centres elsewhere.

I would further suggest that the contention that neither of the above sporting bodies can or should do anything to prevent the sale, for private profit, of the estimated 800 small amateur sports clubs that potentially fall into this category in Scotland, is surely against the purpose for which they were constituted.

I would like to ask if the petitions committee would consider asking Sportscotland to respond to these concerns before the next meeting to consider the above petition.

Regards

Elaine Black
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

THE ASSOCIATION OF CAITHNESS COMMUNITY COUNCILS
Contact: Secretary
MRS S GORDON

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

We request that the Scottish Parliament considers investment in infrastructure, rolling stock and timetabling as part of a strategic root and branch review of the provision of rail services between Inverness, Thurso and Wick, with unrestricted thinking on how best to shorten journey times and ensure the continuing future of the railway to these destinations. Thought should also be given to ensuring that the existing communities of the ‘Lairg loop’ are provided for.

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

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern by, for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MPs. Please enter details of those approached below and append copies of relevant correspondence, which will be made available to the Public Petitions Committee prior to its consideration of your petition.

Scottish Executive Transport minister's
Area and List MSP's
Local MP

Copy attached of Letter (22/3/2005) sent to
John Thurso MP
Eleanor Scott MSP
Jamie Stone MSP
Maureen Macmillan MSP
Mary Scanlon MSP
Rob Gibson MSP

Petitioners appearing before the Committee

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 .................. 15 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
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk
THE ASSOCIATION OF CAITHNESS COMMUNITY COUNCILS

Secretary Mrs S Gordon

22 March 2005

To all Highland MSPs etc

Dear Sir,

FAR NORTH RAIL LINE

The rail design and engineering company CORUS gave a presentation of their report "A Better Railway for the North" at a recent meeting in Wick. The main objectives of this preliminary assessment are:- (a) A new line over the Dornoch Firth (alongside the road bridge) and Loch Fleet (at Little Ferry). (b) New stations at Conon Bridge, Evanston, Dornoch and Halkirk. (c) Bypassing Georgemas Junction. (d) Upgrading the line to enable trains to travel faster so that the journey time between Thurso and Inverness could be reduced to 2 hours. The association has already written Nicol Stephen, Minster for Transport in June 2004 requesting consideration be given to a new rail link between Tain and Golspie via a bridge over the Dornoch Firth. At our meeting on 21st February 2005 members agreed that a plea be made to all north MPs, MSPs and influential bodies to support a full strategic study of North rail services which CORUS now hope to produce. In the reply of 26th July 2004 from the Transport Minister's department assurance was given that he would consider any proposals for the area which demonstrate viability and local support and on those two points my observations are as follows:-

Viability

The far north line to Wick and Thurso is currently under used because the average car journey is 2 to 2.5hrs to Inverness and the train is at best 3.5 to 4hrs. If the time of 2hrs from Thurso to Inverness could be achieved it would become a very desirable way to travel and would attract commuters/day trippers all the way along the line.
The Caithness local economy is still reasonably buoyant but as the decommissioning of Dounreay speeds up redundant workers will be encouraged to remain resident in Caithness and commute because of the excessive property prices in and around Inverness. Also those already in employment in Inverness may be enticed to move further north – a lower mortgage could cover their rail travel costs. Retaining and increasing workers with young families in Caithness & Sutherland is essential for the overall economies of these Counties.

A faster line would encourage more bulk freight traffic to and from Caithness/Orkney thus saving fuel and reducing polluting emissions from HGV’s. Two areas on the outskirts of Wick are currently being considered by property developers as sites for retail stores such as Homebase, Argos and Tesco.

A feasibility study on the benefit a large cash injection in a complete upgrade of the far north line should be considered on the same criteria as the rail line to be reinstated to from Edinburgh to Jedburgh. The viability of restoring that line must be on an equal or even more speculative basis and is dependent on new housing developments in the Borders.

Three private quality housing estates totalling over 300 houses have been built around Thurso over the last 20 years and further land is available for another 300. We have the residents and housing but desperately need a fast commuter line to keep them here!!

Local Support

The Highland Council Structure Plan 1999 recognises the need for a new rail link from Tain to Golspie by bridging the Dornoch Firth.

In the Scottish Executive’s 2001 Report ‘Strategic Priorities for passenger Railway’ the Tain- Dornoch- Golspie rail link is recognised as Scotland’s fourth most wanted improvement project.

This proposal has the full support from all Highland Councillors, Trades Council and Community Council members in Caithness & Sutherland.

Other Matters

The Lairg Loop

There is concern by residents in areas around Lairg which will be bypassed and rightly so. However this can be resolved by providing a local sprinter service departing Golspie via Rogart, Lairg, Ardgay and on to Tain picking up passengers at all stations thereafter en route to Inverness. This would ensure that these Sutherland communities would not be isolated. This service could run in mornings and evenings to suit commuters as well as other services to connect with trains southbound to/from Inverness.

The Wick –Thurso service to Inverness would not stop after Dornoch –it would be an express service to Inverness.

Fuel supplies & CO2 Emissions
The Government is currently implementing a Renewable Energy policy to reduce CO2 in the production of our electricity supplies which is estimated to contribute one third of total emissions in Britain.
At least another third of Britain’s CO2 emissions is created by traffic and an equal emphasis must sooner or later be applied to cutting transport emissions by reducing all types of road traffic. Having high quality rail links will encourage passengers and freight to use the railways.

Yours sincerely

S. Gordon (Mrs).

c.c. John Thurso MP.
Jamie Stone MSP.
Rob Gibson MSP.
Eleanor Scott MSP.
Mary Scanlon MSP.
Maureen Macmillan MSP
Orkney Isles Council.
Richard Arden. (Friends of Far North Line).
19 April 2006
Public Petitions Committee
TG.01
Parliamentary Headquarters
EDINBURGH
EH99 1SP.

Scottish Parliament Public Petitions Committee – PE894

Dear Sirs,

We thank you for the opportunity to comment on the responses you received from the Scottish Executive, First Scotrail, Network Rail, Highland Rail Partnership, Friends Of The Far North Line and Friends of the Earth Scotland. These responses can be split into two distinct groups. Those who believe in the need for a fully costed study of the improvements that require to be carried out which will assist in prioritising investment on the Far North line (user groups), and those who seem to think that this work is already being carried out (provider groups).

Scottish Executive, First Scotrail, Network Rail and to some extent Highland Rail Partnership seem to believe that the present studies being undertaken within Scotland, ‘RUS’s’, ‘Room for Growth’, ‘On Rail Demand’ and the National Rail Strategy will provide the information required to guide investment on the Far North Line. The Association feel that these studies will not provide enough information, especially on the wider benefits that the railway in the Far North brings and could bring if upgraded, to base investment decisions on.

The Association is very concerned to note that the response from the Highland Rail Partnership has omitted the last sentence of the Petition which refers to the “Lairg Loop”. It is disturbing that this influential group have tampered with the wording and we fear that HRP do not want any consideration a Dornoch Firth crossing which is a pivotal component in shortening journey times on the Far North Line. The other group, Friends Of The Far North Line, Friends of the Earth Scotland and to some extent Highland Rail Partnership seem to believe that the present studies being undertaken within Scotland are not enough to base investment on the Far North line on. Like us these groups believe that the Far North Line has some rather special circumstances, which require specific research and consideration. The fact that the Far North suffers from peripherally and social exclusion, high fuel costs and long distances to major centres, and the prosperity of Inverness and the Inner Moray Firth compared to the major rundown of Durnreay in Caithness, make the need for a specific study of the factors affecting the Far North Line imperative. It is these type of factors, which make the Far North Line unique, and are factors not covered within the existing studies that are taking place at present, but which have real major impacts on
the way the Far North Line is and will be used in the future. Given the long lead times for rail investment a proper, costed study is essential to ensure that a robust investment plan can be agreed which will provide for the needs of the Far North in the future when the challenges faced by the area are greater than they are today. We also believe that the study should look at potential growth opportunities that are possible on the Far North Line given unrestricted thinking. These possible growth opportunities may include heritage rail services on the Lairg loop, provision of a station in Dornoch to open up new golf related tourism opportunities, ideas which stimulate inward investment to the area North of Tain, boost local and tourist traffic to and from Orkney and help counter the effects of the rundown of Dounreay. It is unfortunate that the providers (Scottish Executive, First Scotrail, Network Rail and the Highland Rail Partnership) all see them selves as already meeting the customers needs while the groups closer to the customers feel that not enough is being done. This is why the association feels that more can and should be done to guide investment in the Far North Line. The studies being carried out at present do not cover the unique Far North factors, all of which need addressing so that the real total benefit of any investment in the Far North Line can be taken into account when deciding future strategies and investment priorities. Also given the routes European importance as part of the Trans European Networks any planned investment should also be looked at as part of a European scheme not just a regional rural route which the existing studies will set it out as. The people of the North deserve a modern rail service providing wide spread benefits to the whole area. Without a fully costed, wide ranging benefit study these reasonable aspirations will not be met and the North will be failed once again.

Yours faithfully
Public Petitions Committee – a template for public petitions

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| Petition by Paul Macdonald, on behalf of the Save our Swords Campaign, calling for the Scottish Parliament to oppose the introduction of any ban on the sale or possession of swords in Scotland which are used for legitimate historical, cultural, artistic, sporting, economic and religious purposes. |

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Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern by, for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MPs. Please enter details of those approached below and append copies of relevant correspondence, which will be made available to the Public Petitions Committee prior to its consideration of your petition.

Requests were made for individual representations to be made to a wide public audience of the various groups affected by the proposals before the consultation process began and again once this was underway.

Petitioners appearing before the Committee

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
Macdonald

Date
06/10/05

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
Additional Information

The online version of the petition can be seen at the following address - http://www.petitiononline.com/Swords/petition.html

The petition was created in response to the proposals to ban the sale of swords in Scotland, potential measures that would seriously affect the law-abiding and long standing traditional practices of many different areas in Scottish public life such as collectors, martial artists, sports fencers, historical fencers, re-enactors, antique dealers, museums, highland dancers, fight directors, swordmakers, theatrical companies and thousands of Scottish history and clan heritage enthusiasts nationwide.

The main reasoning for the petition was also to highlight the fact that a ban on the sale of swords would effectively do nothing to reduce crime figures in Scotland, what little there are with swords annually (around 1% of all knife-related crimes per year) and that such measures would impact only on thousands of Scottish law-abiding citizens.
Dr. James Johnston,
Clerk to the Public Petitions Committee,
TG.01
Parliamentary Headquarters,
Edinburgh,
EH99 1SP

Scottish Parliament Public Petitions Committee – Scottish Executive and Strathclyde Police Violence Reduction Unit responses to Petition PE893

Dear Dr. Johnston,

I write further to your letter of 30th March 2006, inviting my comments on the responses given by the Scottish Executive and the Violence Reduction Unit of Strathclyde Police to Petition PE893 and the subject of legislation of swords in Scotland.

Firstly, my thanks for inviting and considering my responses to these matters, which hold deep personal and professional concern for myself and many other members of the Scottish public.

With regard to the response from the Scottish Executive, I am first greatly encouraged to hear of the Executives commitment to tackling knife crime in Scotland. There are no doubts as to the seriousness of these matters in Law and public life and I wish only for the Executive to consider and implement the most effective actions towards legislation and on the streets in order to reduce crime in any way.

The Executive then refers to measures aimed towards restricting and/or licensing the sale of non-domestic knives and presumably swords and I would like to here respond to this issue referring separately to each blade type concerned.

1 – Issue of restricting sales/licensing “non-domestic” knives in Scotland

My first serious question towards this issue is, “Need this be an issue?”
The pertinence of this question is due to the fact that “non-domestic” knives have not been proved to present or have caused any greater threat or problem than domestic knives.
If the Scottish Executive were to research records of past injury, assault, attempted murder and murder where knives were used, it may be surprised to find the majority of cases involve the use of common kitchen or domestic knives.

The reason for this is purely practical from the standpoint of the criminal.
Kitchen knives are –

- Easily Available
- Extremely Affordable
- Easy to conceal
- Disposable
For these reasons, the common kitchen knife has been perhaps the most popular choice of the criminal on the street to carry. Other popular bladed weapon choices are screwdrivers and chisels, again being a perfectly sensible choice for the criminal who if stopped by police and searched can easily claim that his tool was ‘innocently’ intended for domestic DIY or mechanical repairs, thus deceptively but legally evading an initial criminal charge for carrying a fixed blade out-with 3” in length without good cause.

Kitchen knives, screwdrivers and chisels are the predominant bladed tools used to injure, maim and murder in Scotland today. Have “non-domestic” knives been proved to be any more of an issue or greater public concern than domestic blades? They have not.

For this reason alone, if the Executive proceeds with any licence scheme or legislation targeting “non-domestic” knives, then it does so unjustly and with no good reason but conjecture and supposition. This should never form the basis of reason to create any Laws.

If the Executive believes that “non-domestic” knives are an issue, then it will fail to effectively address the problem of street crime in Scotland today.

2 – Issue of restricting sales/licensing swords in Scotland

With regard to the suggestions of licensing the sale of swords in Scotland, I may ask the same question, “Have swords been proved to be an issue of serious enough public concern that additional legislation be sought”?

It would appear not. The only Scottish statistical figures brought to light recently that differentiate between swords and knives used in criminal activity have originated from Strathclyde Police and Lothian and Borders Police. In both cases, swords have accounted for proportionately less than 1% of annual criminal figures compared with knife use.

With these figures originating from perhaps the largest and busiest police bodies in Scotland, it is more than likely that collective overall factual statistics for proportionate knife/sword crime in Scotland would realise an even lower percentage of swords being used than the Strathclyde/Lothian figures indicate.

The reasons that swords are rarely ever used by criminals are obvious –

- Not so readily available
- Expensive to buy (particularly for any sword that can hold an edge or is light and balanced enough for practical use)
- Extremely difficult to conceal (i.e. Not carried casually on streets)
- Not so readily disposable
Swords have recently been shown to be most effective as media and political scare-mongering tools, as they easily capture the imagination of both public and politicians alike. That however, should never be the basis for exaggerating reports or ideas of criminal activity or supposed criminal culture with the sword in Scotland.

Cold facts from our Scottish Police forces tell us that there is not an overriding problem with swords in the hands of criminals in Scotland today, and most knife crime details reveal that kitchen and common blade types are typically used, suggesting that there is also no particular problem with “non-domestic” knives. **Is the Scottish Executive really prepared to spend its and taxpayers time and money considering and passing legislation on problems that do not exist?**

Another question that the Executive should seriously consider is “Who would realistically be affected by any additional legislation/licensing scheme to restrict sword sales in Scotland?”

Assuming that any license scheme would incur costs to holders, thousands of legitimate businesses and practices alone shall bear the cost of what would be a futile exercise in control.

The last persons to be affected would be the criminals, who if of a mind to commit any crime with any type of blade, will continue to do so regardless of a blades legal classification and/or penalties incurred if arrested for that crime.

I am heartened to hear that the Executive is aware of and sensitive to potential affects upon recreational, cultural and historical and activities in Scotland where swords may be legitimately sold, collected, displayed or used for educational, sporting, religious, dramatic or martial study and practice purposes.

The Executive states in its response that, “Existing legislation on knives and swords already provides for exclusions or exemptions for antique weapons and weapons with blades for religious, cultural, or historic purposes and the Executive has no plans to remove such exemptions.”

The Executive should also consider that existing legislation on knives and swords already provides for any criminal activity involving such blades as being clearly out-with the Law and as such subject to penalties as laid out within the Law. These controls and penalties already exist as a deterrent to carrying out a crime involving a blade.

A licensing scheme for blade purchase or ownership would be no further deterrent to the criminal mind.
Strathclyde Police have been helpful in providing figures in response to PE893. I would however, disagree with their general claim that “It is accepted that any use of a sword during an act of violence normally results in very serious injury”.

As opposed to any type of knife that any one can ‘point-and-stick’, for a sword to be used effectively it has to be wielded effectively. This usually involves some amount of martial theory and practice, something that common criminals have no self discipline to follow and do not possess.
This is why criminals use swords for showing-off and intimidation more than serious use. The Strathclyde Police statistics show that one murder alone involved the use of a sword. Any murder is one too many, but this hardly highlights the sword itself as being any great threat to the Scottish public.

Recently in Edinburgh, two men were assaulted by two attackers ‘wielding’ swords and both escaped with non-serious cuts. The only reason for this is that the ‘wielders’ had no idea how to effectively make a sword work (a good thing by far).
Another Edinburgh incident saw a female shopkeeper confronted by a criminal armed with a “samurai” sword and demanding money, whereupon she effectively disarmed the man and he ran away.

Such incidents prove that the sword itself is not a “deadly weapon” by any means. A sword is not a simple tool and should not be treated as such.

I cannot agree with the recommendation of Strathclyde Police to treat swords the same as “non-domestic” knives in terms of legislation. Until the sword can be proved to be as great a concern and threat to the Scottish public as any type of cheap, concealable knife, then such recommendations are unjustified and unsubstantiated.

I hope that these views are helpful and that the Scottish Executive might carefully consider all facts presented. I shall be happy to further discuss or respond to any other matters regarding the proposed legislation and petition PE893, where I shall be contactable at the above details.

Yours Most Sincerely,

Paul Macdonald,
Macdonald Armouries,
Macdonald Academy of Arms
Public Petitions Committee – a template for e-petitions

Should you wish to submit an e-petition allowing signatures to be gathered online on the Public Petitions Committee e-petitioner web pages please complete the template below. Before submitting your e-petition please consult the Guidance on submission of public petitions for advice on what is and is not admissible. 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.

Dr John C Crawford,
Library Research Officer,
Glasgow Caledonian University.

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 Dr John Crawford, calling on the Scottish Parliament, to urge the Scottish Executive to ensure that the national school curriculum recognises the importance of information literacy as a key lifelong learning skill.

Period for gathering signatures:
Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks

Closing date: Friday 16th December 2005
Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

I work as Library Research Officer at Glasgow Caledonian University where I undertake, among other things, research projects in the information field and I have become convinced that information literacy is an essential skill for the Scottish people for the 21st century which they must acquire if lifelong learning strategies are ever to be turned into a practical reality. It is impossible to be a lifelong learner if you do not have the independent learning skills which information literacy confers. I am currently directing a research project which is looking at developing an information literacy framework which spans the secondary and tertiary sectors. Information literacy skills - the link between secondary and tertiary education www.learningservices.gcal.ac.uk/ils/index.htm

Information literacy being defined as:

- knowing when and why you need information, where to find it, and how to evaluate, use and communicate it in an ethical manner.

This definition implies several skills. The skills (or competencies) that are required to be information literate require an understanding of:

- a need for information
- the resources available
- how to find information
- the need to evaluate results
- how to work with or exploit results
- ethics and responsibility of use
- how to communicate or share your findings
- how to manage your findings.

One of the big problems is one of definition as even those in educational development and policy making seem to confuse information literacy skills with IT skills but the two are not the same. IT skills (information technology) are about using computers – email, file management and so forth. Information literacy is about finding information in all physical forms (the internet, books etc.), evaluating its worth and making it work for you whether it is for work, educational or recreational purposes. Those of us working in higher education find that first year students are increasingly appearing with basic IT skills but generally poor or limited information literacy skills and competencies.

Information literacy skills and competencies are needed by:

- Secondary school pupils to help them learn to find information for themselves to support coursework and also to develop baseline skills which can be applied in tertiary education or in work where independent learning skills are increasingly needed.

- Students in higher education who are now expected to be independent learners and need information literacy skills, not just to complete their coursework but to give them learning skills to apply in the modern work situation.
• **Those in work** who need information literacy skills to find relevant, credible information to support decision making and improve their career prospects

• **Lifelong learners** who need information literacy skills to support the independent learning process

While it is true that the Scottish Executive is anxious to enhance access to digitally held information, and indeed all information resources, it does not recognise that the Scottish people have to have the information literacy skills listed above to be able to take advantages of the opportunities of e-learning and e-government so that they can access, critically evaluate and use the information within the available resources. The (international) Prague Declaration on the subject [http://www.infolt.org/International Conference/](http://www.infolt.org/International Conference/) describes information literacy as a civil right and a goal which all democratic societies should pursue. However there is no specific focus of responsibility or decision making within the Scottish Executive. According to the Scottish Library and Information Council (SLIC) — The importance of information literacy is the subject of on-going discussions across a number of portfolios within the Scottish Executive. This means it is extremely complex as often one department doesn't recognise where another department is already engaged in work. For example OfCom Scotland report to Tourism, Culture and Sport (as libraries do). Their remit is media literacy, which overlaps to some extent with information literacy. Tourism, Culture and Sport is working on a Digital Media Strategy which recognises the importance of information and digital skills (separating them). The Curriculum Review is looking at information literacy within the 3-18 curriculum but as their objective is to declutter the present curriculum and not to add to it there is no guarantee that information literacy will be included in the new curriculum.

The above complexity makes awareness raising and policy developing extremely difficult. In working on the research project both my project officer, Christine Irving and I have found, in approaching educational agencies, at both the secondary and the tertiary sector two common reactions which are a product of the policy vacuum outlined above:

• An ignorance of what information literacy is
• A belief that some other agency is dealing with it

For example, when we approached the Scottish Higher Educational Funding Council we were told that the Scottish Library and Information Council (SLIC) was dealing with the issue. In practice SLIC been involved in and initiated national projects [http://www.slainte.org.uk/infohandling/index.htm](http://www.slainte.org.uk/infohandling/index.htm) but there is more work to be done not just by SLIC but by all interested parties. However the complex situation described above makes any progress on a national basis extremely complex and difficult for SLIC or any other interested party to deal with.

Given that there is a clear need for a focus of understanding, access and decision making within the Scottish Executive, we feel that, as responsible citizens, a petition to the Scottish Executive, is a good way forward.

We want to:

• Create a clear understanding of what information literacy is within the Scottish Executive and the agencies responsible to it
• Identify a clear focus of responsibility for information literacy within the Scottish Executive
• Ensure that responsibility is delegated in a clearly defined manner to an appropriate agency
• Ensure that the identified agency formulates and implements suitable policies, in conjunction with relevant centres of expertise in the areas of secondary and tertiary education, lifelong learning and the workplace.
Action taken to resolve issues of concern before submitting an e-petition:

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

Contacts with most Scottish educational agencies including, Scottish Higher Education Funding Council, Learning and Teaching Scotland, learndirect scotland, the Scottish Qualifications Authority and the Scottish Credit and Qualifications Framework. Email contact with my MSP, Ken Macintosh, who after reviewing contacts made recommended proceeding to a petition to which he would give his full support.

Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

Information literacy is a core skill and should be recognised as such.

Information literacy is not an ‘add on’ it supports leaning and teaching.

Petitioners appearing before the Committee

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.

<table>
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<tr>
<th>Signature</th>
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For advice on the content and wording of your e-petition please contact:

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

Note  
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk
Petition PE902: Petition by Dr John Crawford calling on the Scottish Parliament to urge the Scottish Executive to ensure that the national school curriculum recognises the importance of information literacy as a key lifelong learning skill, presented to the Petitions Committee on 21st December 2005.

Comments on the responses sent to the Petitions Committee and forwarded to me in a letter dated 7/6/06. Text written by John Crawford and Christine Irving, both of Learner Support Department, Glasgow Caledonian University and Chris Milne, University of Abertay.

Background to our comments
Our petition was a consequence of our research project: Information literacy: the link between secondary and tertiary education. See URL http://www.learningservices.gcal.ac.uk/ils/index.html. The project set out with the original intention of developing an information literacy training framework which would link the secondary and the tertiary sectors but we early recognised that it was vital to include the post education situation because of the important role of information literacy in the workplace. It is therefore an ‘all through project’ which takes account of lifelong learning as well as scholastic education. It is important to emphasise this point as it does not seem to be fully understood by some respondents, notably the Educational Institute of Scotland (See below). A feature of the project is that we have established cross sectoral partnerships with most library sectors and educational activists in this area. This includes school librarians and we passed the responses to representatives of school librarians and their thinking is reflected in our comments. We would emphasise that the school librarians views are the same as those of Christine, Chris and myself as laid out below. We offer comments on specific respondents and conclude with overview comments.

Comments on specific responses

Scottish Executive Education Department
This statement is identical to those we have previously received from the Scottish Executive and shows no evidence of new thinking in this area.

1 The curriculum is non statutory – this offers the opportunity to make information literacy a core skill but this opportunity has not, in practice been taken up.

2 Whilst the Information and Communications Technology 5-14 guidelines do contain a searching and researching strand relating to elements of information literacy (where to search, how to search, how to extract information, how to evaluate the results). Research and comments from our partners within all education sectors along with those of HM Inspectorate of Education show that the above strand is not addressing the issues of information literacy. Pupils and students in general do not search in depth or beyond what is available nor do they critically evaluate the information they find for bias, accuracy, relevance, currency etc. and plagiarism is a major problem particularly in relation to copying and pasting from websites. In addition as this relates solely to ICT sources of information it creates an over reliance on the Internet solely as a resource and ignores print (books, newspapers, journals etc.) and people, which are still invaluable sources of information.
Response from HM Inspectorate of Education
This is the most supportive and positive of responses and we note the following ‘Few schools had systematic approaches to developing information literacy to ensure that all pupils acquired this set of skills progressively as part of their passport of core and life skills’. We note the reference to a Curriculum for Excellence but must emphasise that because information literacy can be intermittently identified in the curriculum this does not mean that it is recognised as a core skill.

Educational Institute of Scotland
Factual inaccuracies and incorrect assumptions:

3 ‘The petitioner ignores the role of primary and nursery schools’. Whilst our project originated with the link between secondary and tertiary education we are, through our research and partners (North Ayrshire and Edinburgh), fully aware of work in this area and indeed said so while presenting our petition on 21st December.

4 ‘Without considering the contribution or responsibility of higher education.’ This is wholly incorrect. HE is a key component of our work. See URL listed above.
5 ‘Secondly the development of information literacy as described by the petitioner is already central to practice at most levels of education in Scotland’ Under para 9 the EIS evidence lists in detail components of the curriculum where information literacy appears but this is a tacit admission that it is not recognised as an explicit skill. Central is certainly not appropriate. (See below).

14 ‘it appears to be the petitioner’s implicit view that school is primarily a preparation for later study and learning’. We consider information literacy to be an essential core skill which can be directly applied in the post school education and or work situation. This understanding is a consequence of our work with our partners both in secondary, tertiary and lifelong learning.

15 ‘a great deal of work to extend and develop practice... which relates to information literacy’. We are familiar with all the activism in this area and indeed those active and we consider this an overstatement. We would welcome a list of the bibliographical references which give objective support to this statement.

17 ‘It is surprising that the petitioner... makes no reference to such sources as SEED or Learning and Teaching Scotland.’ We have been in touch with SEED and the Curriculum for Excellence Team and are in regular contact with Learning and Teaching Scotland (LTS) and indeed others. We have just completed research on information literacy in the workplace funded by LTS and are in regular touch with staff based there. We have also had discussions with SQA and Scottish Credit and Qualifications Framework. We have recently been awarded funding by Eduserve to develop an information literacy framework linking the secondary and tertiary sectors and will be working with SCQF. We have been closely following HM Inspectorate positive attitude to information literacy and will be in contact with them shortly. EIS does not mention lanndirect Scotland for whom we have undertaken contract work in relation to the development of an information literacy learning principles paper (best practice guide) for their branded learning centre’s learning principles toolkit
18 'very selectively informed about the current position in Scottish schools'. I hope the corrections above refute this 'interesting' statement. With regard to 'his proposed solution is unnecessary given policy and practice... and the opportunities available'. The 'opportunities' may be available but all the evidence collected by us and that supplied by our partners shows that these 'opportunities' are not being taken up.

**Points of substance**
10 'Information literacy is also central to the Standard grade programme...' While this is true in general terms information literacy is not specifically recognised as such.

11 'S5/6 National Qualifications... inclusion of such skills... also possible to develop these skills. Many pupils, especially in non academic schools, do not progress to these levels of work. While it is 'possible to develop these skills' in practice it only happens in a few schools.

12 *Curriculum for excellence.* a-j. While these are information literacy skills they are implicit in the Curriculum, not explicit. **This is a significant barrier and one of the central pillars / motivation behind our submission.**

**Summing up EIS evidence**
Essentially what the EIS evidence does is to identify where information is implicit in the Curriculum and claims that this means that information literacy exists as a discrete teachable skill which is not the case. In practice what is happening is that a few school librarians are working with sympathetic teachers to exploit the opportunities which currently exist by driving ideas forward. These initiatives represent the exception, not the rule and certainly should not be confused with a policy.

As Dorothy Williams at Robert Gordon University's recent research study into – *Information Literacy in the classroom: Secondary School Teacher's Conceptions* (http://www.rgu.ac.uk/files/ACF4DAA.pdf) show:

>'The results of the study indicate that teachers understood information literacy to be important for lifelong learning but do not feel able to effectively support the development of information literacy in their students within their current curriculum environments.'

She also notes that:

>'The current educational context was seen as a further barrier to information literacy development. Teachers felt constrained by overloaded curriculum content, with timetables too tight to allow time for information literacy skills development. They felt pressured by formulaic structures for exams and were reluctant to take risks that would they would not be able to justify in terms of assessment grades.'

indicating that the current curriculum structure is inimical to information literacy skills development.
Learning and Teaching Scotland
We welcome the positive tone of this response: specifically:
1 ‘The on-going curriculum review provides opportunities for engagement with education professionals and interested parties.’ We are actively engaged in this as indicated above including North Ayrshire with whom we have been working since the beginning of the Project.
‘not yet a single commonly accepted definition of information literacy’ We have been using the one proposed by the Chartered Institute of Library and Information Professionals (CILIP) which we presented to the Petitions Committee last December (http://www.cilip.org.uk/professionalguidance/informationliteracy/definition/). Using the contacts we have built up we are raising awareness of what information literacy is and taking account of other views on the subject. This includes recently developed contacts with Ofcom in Scotland.
‘A basic understanding... is probably best gained during the primary school years. We fully support this and again draw attention to the work of our partners, North Ayrshire and Edinburgh, in this area.
‘This could then be reinforced and extended as the student progressed towards tertiary education and working life’. This is exactly what our research project is about.
‘Information skills ‘learning objects’’. Whilst there are some excellent material available, take up has been patchy due to a number of factors including the varying standards of technology within schools resulting in schools being unable to access the material (SSDN should hopefully resolve this problem), the pressure on teachers to cover the present curriculum which does not explicitly recognise information literacy and therefore not generally included within their learning and teaching.
Professional development. We agree with this. Our research on information literacy in the workplace, funded by LTS, has shown the importance of information literacy in CPD and has contributed to teachers CPD.

Universities Scotland
While we warmly welcome this general statement of support we would have appreciated a little more detail.

Scottish Qualifications Authority
Information Literacy in Existing Qualifications
‘SQA has already recognised the importance of information literacy as a key lifelong learning skill’ They have through their participation with the Information Handling Skills cross sector project which developed online material for post 16 and lifelong learners (http://www.sluintie.org.uk/Infohandling/about.htm) subsequently with the development of an SQA national unit qualification at Intermediate Level 2 (DF9J 11 http://www.sqa.org.uk/files/nu/DF9J_11.pdf), this unit provides automatic certification of: Problem Solving Intermediate 2; Critical Thinking Intermediate 2; Reviewing and Evaluating intermediate 2; Planning and Organising Intermediate 2. In addition accompanying assessments (NAB) to the qualification were developed however with little or no promotion of the qualification the take up has been minimal and only where librarians have instigated initiatives.

Rather like the EIS evidence much of the evidence from SQA is a recitation of where information literacy appears within the context of subject specific teaching. The references to Advanced Highers and Latin and Greek are largely irrelevant as very few pupils study at this level and certainly not, in non-academic schools.
English 'Use of sources would be an option' - therefore not compulsory.

The general point is that both school pupils and students have difficulty with skills learnt in one subject which they can transfer to another which is why discrete skills training is needed. There is also in practice a skills gap between age 14 (School librarians often teach basic skills to S1/2) and entry into FE/HE and skills previously learned are forgotten or considered irrelevant as they are not reinforced throughout their studies.

School Library Association in Scotland
We welcome this evidence and would ask the Petitions Committee to note the following sentence. 'The development of information skills policies and lessons is currently haphazard and disconnected.'

UNISON School Librarians
Again we welcome this evidence and would particularly draw attention to the lack of continuity, assessment, and assumption that each curricular area assumes that information literacy skills have been learned elsewhere. 'pupils... do not know how to carry out a task involving information literacy skills in a methodical and successful manner'; pupils need to be taught learning skills overtly.

Summary comment
Critical comments are characterised by the view that information literacy should be taught implicitly in the context of curricular subjects, not as a discrete subject on its own although research evidence shows that pupils/students do not transfer information skills learned in one subject context to others. The most serious consequence of this approach is that information literacy training is, in practice optional rather than obligatory and implicit, rather than explicit and obligatory. In a few cases enthusiastic school librarians and teachers take advantage of the opportunities the curriculum offers or drive ideas forward but this is the exception, rather than the rule.
The criticality of the current situation (i.e. information literacy training is, in practice, optional rather than obligatory and implicit, rather than explicit and obligatory) is dramatically reinforced when considering the approaches taken in other educational settings. The United States and in Australia are notable examples. In a direct attempt to improve the competitiveness of the work force in the emerging knowledge economy information literacy skills are recognised as core skills within national education standards. This level of recognition exists to develop a core skills set identified as necessary to secure and develop future employment opportunities. The Scottish economy will become increasingly vulnerable where our workforce does not possess core information management skills and competencies.

Final 10.8.06
Dr. John Crawford
Library Research Officer,

Christine Irving
Research Assistant / Project Officer,

Christopher Milne
Information Manager
August 31, 2006

Re: Petition PE 902

Public Petitions Committee
The Scottish Parliament,
Parliamentary HQ,
Edinburgh,
Scotland,
EH 99 1SP.

Dear Sir or Madame,

The National Forum on Information Literacy recently learned of Petition PE 902 before the Scottish Parliament which is sponsored by Dr. John Crawford. It concerns the importance of ensuring the national school curriculum recognize the importance of information literacy as a key lifelong learning skill. **We commend the Scottish Parliament for its attention to this important issue and write in support of the petition.** To explain our support, let me highlight some key points in the emergence of information literacy as a basic human right and the role of the Forum has played.

In 1989 the American Library Association Presidential Committee Final Report on Information Literacy, which was developed by national leaders in education, information science and business, was released. The report called for a restructuring of the learning process. It stated: "Such a learning process would actively involve students in the process of knowing when they have a need for information, identifying information needed to address a given problem or issue, finding needed information, evaluating the information, organizing the information and using the information effectively to address the problem or issue at

www.infolit.org
hand.” It further stated: “Such a restructuring of the learning process will not only enhance the critical thinking skills of students but will also empower them for lifelong learning and the effective performance of professional and civic responsibilities.”

Given the importance of this challenge, the report recommended the formation of a national coalition to promote information literacy. Today the Forum is a broadly-based umbrella organization of both national and international organizations held together by a common commitment to people empowerment in today’s Information Society. (See attached list of membership, and for more information on the Forum see www.infolit.org.)

Over the years since then, many countries have adopted information literacy standards at both the school and university levels with corresponding assessment tools, and a large international body of literature and best practice now exists. Efforts continue.

This coming October the National Forum on Information Literacy is partnering with the Educational Testing Services, the National Education Association, the U.S. Chamber of Commerce, and others to offer an “information literacy” summit meeting for U.S. policy makers. Its primary purpose is to further understanding of information literacy’s role in American competitiveness, student and worker readiness to engage in an ever evolving, dynamic global economy.

At the international level, UNESCO has co-sponsored with the Forum two international leadership conferences on information literacy in (2003) Prague, The Czech Republic, and in (2005) Alexandria, Egypt. Emerging from these events is a commitment to information literacy as a human right and as an essential element in lifelong learning. (Reports and declarations from both events are available through the Forum website.)

www.infolit.org
Eventually, however, it is up to each country in its own way to ensure that its youth are prepared for lifelong learning in a world that is overloaded with information—both true and untrue, both up-to-date and antiquated, both relevant and tangential.

Should the Parliament take favorable action on this Petition PE 902, Scotland will be one of the early adopters of national policy on this very important topic. Such an action will be a model for other countries but—most importantly of all—it will enhance the future of generations of Scottish citizens and leaders.

Sincerely,

Lana W. Jackman and Sharon Gray Weiner
Co-chairs
National Forum on Information Literacy.