

**Minutes of the meeting of the Cross Party Group in the
Scottish Parliament on Disability
Held on 7 March 2012**

Present:

Susan Archibald, *Archibald Foundation*
Jackie Baillie MSP
Julia Brawn, *Action on Hearing Loss Scotland*
Gary Clark, *STUC, CWU*
Iain Cuthbertson, *Quarriers*
Robert Dalrymple, *Stroke Association*
Annabelle Ewing, MSP
Stanley Flett, *SATA*
Jacq Kelly, *Leonard Cheshire Disability*
Faye Keogh, *Turning Point Scotland*

John McArdle, *Black Triangle*
Gordon McInnes, *Inclusion Scotland*
Michael McMahon, MSP
Pauline Nolan, *Inclusion Scotland*
Terry Robinson, *SATA*
Kate Sanford, *Quarriers*
Stefan Stoyanov, *SCCYP*
Liz Thorburn, *Stroke Association*
Erin Townhill, *SIAA*
Ann Wardlaw, *STUC, Unison*

Apologies

John Ballantye, *SATA*
Aidan Collins, *SAMH*
Giselle Dye, *Pagoda*
Maddy Haliday, *The Stroke Association*
Derek Kelter, *Momentum*
Siobhan McMahon MSP

Patricia Osborne, *Brittle Bone Society*
Louise Page, *The Thistle Foundation*
Alan Rees, *SATA*
John Sutherland, *Leonard Cheshire*
John Womersley, *DIGG*
Ann M Young, *SEAG*

1. Welcome and introductions

Michael welcomed all members and guests to the meeting.

2. Minutes of the last meeting and matters arising

The minutes were approved as an accurate record.

Cross party briefing for Westminster politicians

It was agreed that the cross party briefing for Westminster politicians has now been superseded by establishment of the Scottish Parliament Welfare Reform Committee. The Committee's role is to keep under review the passage of the UK Welfare Reform Bill and monitor its implementation as it affects welfare provision in Scotland, and to consider relevant Scottish legislation and other consequential arrangements. This Committee will take evidence from a range of organisations, with the aim of introducing an enabling Bill.

The draft bill will be published for consultation and it is aimed to have the legislative process completed by June. A website portal will be set up, to gather individuals' comments and experiences.

3. APD Presentation

Members of the Association of People with Disabilities from Bangalore, India had planned to attend this CPG meeting as part of a visit to the UK, but unfortunately had to change their travel arrangements.

4. Another Tale of Sorrow – John McArdle, Black Triangle

Gary Dow was unable to attend the meeting due to ill health, so John McArdle delivered this presentation.

The Black Triangle campaign was established to raise opposition to the current attacks on the rights of people with disabilities by the UK Government using Work Capability Assessments to re-classify genuinely sick and disabled individuals as “fit for work”.

- Around 2,020 MS sufferers, 440 patients with Parkinson's disease, 16,750 people with cancer and dozens of dementia victims have all been through multiple work capability assessments.
- The number of suicides and self-harm continues to grow for disabled people in the UK, and unemployment, cuts and punitive welfare measure may be a significant factor.
- WCA is based on a bio-social-psycho model, an approach recommended by large insurance companies, and which is medically based.
- Under plans to replace DLA with PIP, people with sight impairments and people who use wheelchairs may lose their right to the higher rate mobility allowance.
- Black Triangle is lobbying the medical profession – a copy of their letter is attached to these minutes. This calls on GPs to do a Significant Event Analysis where WCA has been a factor in the death of a patient.
- DWP is currently considering suspending benefits to people who are appealing to the Tribunals Services and this is being challenged on human rights grounds.
- The Welfare Reform Bill has now been passed by UK Parliament.
- The Spartacus report highlighted major concerns about the consultation process and the Government's response, but has been largely ignored.
- Citizens Advice Scotland recently published “From Pillar to Post”, which examines the impact of the migration from IBA/ESA on the 170,000 claimants who are to be reassessed in Scotland and the wider impact this will have on advice services, labour markets, and the economy (<http://www.cas.org.uk/Publications/recent-publications/From+pillar+to+post>)
- The Scottish Government should fully denounce the use of WCA.

- Misleading propaganda in media, particularly parts of the press, are fuelling a significant level of hatred and discrimination against disabled people, and further entrenching the ideology of the need for welfare reform to protect the tax payer.

Occupational Health

- In addition to carrying out WCA, ATOS is contracted to provide OH for HMRC and DWP. This is a conflict of interest.
- The UK Government is now suggesting that independent assessors should go to the workplace, rather than workers going to their own doctor.

Michael McMahon MSP confirmed that ATOS and DWP had been invited to send a representative to this meeting but no acknowledgement or response had been received.

5. Roundtable discussion

The main points of the discussion included:

- ATOS provides OH for Royal Mail and there have been examples of bullying behaviour, rather than support. People are encouraged to submit their experiences to the Welfare Reform Committee.
- Where ATOS is contracted to provide services to public organisations, they should be held accountable for the quality of that service and for delivering better outcomes for people.
- Social care organisations are regulated and inspected by the Care Inspectorate and in England by the Care Quality Commission. There should be a similar inspection regime for ensuring quality in companies contracted to provide services to public organisations.
- Another example was of a blind person with 2 artificial eyes, who was accused of seeing more than he claimed.
- There needs to be ongoing provision of advocacy and support for people going through WCA. 70% of people pass when accompanied.
- DG Voice is training supporters in Dumfries.
- West Lothian Council has launched a guide "Maximise your Benefit".
- The EHRC should be stronger in support for disabled people.
- Article 2.7.2 of the UNRPD states that "no person should be subjected to slavery, mandatory or forced labour".
- There are particular issues about carrying out WCA on people with learning disabilities.
- Family Tax Credit will shortly stop for people doing 16 hours work.
- The Mental Welfare Commission should also be involved, as there will be more demand for mental health services as people become more stressed and anxious.
- Recent work from Quarriers and LDAS found that several people who currently rely on DLA will not receive PIP. People with learning disabilities may tend to respond positively to questions about their ability to perform tasks.

- Housing benefit changes mean that people with learning disabilities who are under 35 and currently living independently will have to share accommodation.
- A suggestion was made at the recent LibDem conference that local delivery mechanisms such as the Inverclyde Health & Care Partnership could provide a better WCA using local knowledge, but no response received.
- We need to move toward identifying how the impact of these cuts can be mitigated and develop collective solutions, eg the impact on passported benefits such as concessionary travel and care charges that are based on people's current benefits.
- The Inverclyde Financial Inclusion Partnership is currently working on income maximisation to prepare for the impact of welfare reform.
- The Welfare Reform Committee will be taking evidence from COSLA.
- 6 senior civil servants from DWP have recently resigned due to being asked to implement impossible plans.
- Disabled people tend to be the first to lose jobs when redundancies are considered.
- Media coverage of disabled people is biased and generating hostility towards disabled people. One person had experienced several instances of verbal abuse for using a guide dog.
- The media can be used positively. Quarriers had used the press to make DWP provide an easy-read version of the PIP consultation.
- The Leveson Inquiry into press conduct will be taking evidence on disability issues.

This will remain a key topic of interest for this CPG and will be discussed at future meetings.

6. Any other business

Festival of Politics

Members were thanked for their ideas for the Festival of Politics, which have been sent to the Scottish Parliament organisers and a response is awaited. If this CPG is asked to organise an event, then a small working group will be established.

Pavement Parking Alliance

Correspondence from the Pavement Parking Alliance had been received relating to forthcoming proposed legislation, and it was agreed to invite a representative from the Alliance and Joe Fitzpatrick MSP to the next meeting.

Action Kate Sanford

6. Date of Next Meeting

The next meeting will take place on Wednesday 6 June at 1pm. This will also be the CPG's AGM.