



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 53, Session 5

Meeting of the Parliament

Thursday 8 December 2016

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 11.40 am.

- 1. General Questions:** Questions were answered by Cabinet Secretaries.
- 2. First Minister's Questions:** Questions were answered by the First Minister (Nicola Sturgeon).
- 3. Doon Valley Boxing Club:** The Parliament debated S5M-2537 in the name of Brian Whittle—That the Parliament notes the success of Doon Valley Boxing Club in Dalmellington; understands that the club attracts members from across Ayrshire and that some of those who train there have gone on to compete at a national level; believes that local sports clubs play a hugely important role in their communities, by providing positive opportunities for young people, improving physical and mental health, reducing antisocial behaviour and helping to improve performance in school; recognises the vital contribution that volunteers play in sustaining such clubs and commend them for their hard work, and wishes community sports clubs across Scotland, including Doon Valley Boxing Club, continued success.
- 4. Creating a Fairer Scotland: Our Disability Delivery Plan:** The Minister for Social Security (Jeane Freeman) moved S5M-2948—That the Parliament recognises the importance of the UN International Day of Persons with Disabilities in drawing attention to the human rights of disabled people around the world; acknowledges that there is a need for a transformational change to achieve disability equality and therefore welcomes the publication of the report, *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; expresses its thanks to all the individuals and organisations who

responded and contributed to the consultation on this plan and agrees that the Scottish Government should continue to engage with disabled people as the experts in the continued actions that need to be taken to ensure that rights and independent living can be enjoyed and that as a society the long-term ambitions set out in the plan can be achieved; agrees that the Scottish Government should be firmly committed to implementing the UN Convention on the Rights of Persons with Disabilities in full so that disabled people in Scotland can realise all of their human rights, and condemns the actions and welfare cuts of the UK Government, which have led the UN Committee on the Rights of Persons with Disabilities to conclude that there have been “grave and systematic violations” of disabled people’s human rights.

Adam Tomkins moved amendment S5M-2948.2 to motion S5M-2948—

As an amendment to motion S5M-2948 in the name of Jeane Freeman (Creating a Fairer Scotland, Our Disability Delivery Plan), leave out from “report” to end and insert “UK Government report, *Work, Health and Disability Green Paper: Improving Lives*, and the Scottish Government report, *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; expresses its thanks to all the individuals and organisations who contributed to the development of these publications and agrees that the Scottish and UK governments should continue to engage with disabled people as the experts in the continued actions that need to be taken to ensure that rights and independent living can be enjoyed and that as a society the long-term ambitions set out in the two publications can be achieved; recognises that the UK was among the first countries to sign the UN Convention on the Rights of Persons with Disabilities and that the convention is aligned with the UK approach to disability equality, which focuses on inclusion and mainstreaming; understands that the UK Disability Discrimination Act 1995 has been recognised internationally as a model of effective anti-discrimination legislation, and supports the UK’s aspiration that disabled people get the same opportunities as other people to find work, while ensuring that people who cannot work because of a disability or health condition receive the support that they need.”

After debate, amendment S5M-2948.2 was disagreed to ((DT) by division: For 30, Against 88, Abstentions 0).

Mark Griffin moved amendment S5M-2948.1 to motion S5M-2948—

As an amendment to motion S5M-2948 in the name of Jeane Freeman (Creating a Fairer Scotland, Our Disability Delivery Plan), insert at end “; recognises that the new Scottish social security system will be a vital tool to ensure that disabled people have independence, decent incomes and fairer working lives; further recognises that two fifths of people in poverty live in a household with at least one disabled person and that the costs associated with a disability can average £550 per month, and agrees that new disability benefits powers will give the Parliament and the Scottish Government both the substantial responsibility and opportunity to support Scotland’s disabled

people by halting and reversing the worst effects of Tory social security cuts, under a system that is based on the principles of dignity and respect.”

After debate, amendment S5M-2948.1 was agreed to ((DT) by division: For 87, Against 30, Abstentions 0).

The motion, as amended, was then agreed to ((DT) by division: For 88, Against 30, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament recognises the importance of the UN International Day of Persons with Disabilities in drawing attention to the human rights of disabled people around the world; acknowledges that there is a need for a transformational change to achieve disability equality and therefore welcomes the publication of the report, *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; expresses its thanks to all the individuals and organisations who responded and contributed to the consultation on this plan and agrees that the Scottish Government should continue to engage with disabled people as the experts in the continued actions that need to be taken to ensure that rights and independent living can be enjoyed and that as a society the long-term ambitions set out in the plan can be achieved; agrees that the Scottish Government should be firmly committed to implementing the UN Convention on the Rights of Persons with Disabilities in full so that disabled people in Scotland can realise all of their human rights; condemns the actions and welfare cuts of the UK Government, which have led the UN Committee on the Rights of Persons with Disabilities to conclude that there have been “grave and systematic violations” of disabled people’s human rights; recognises that the new Scottish social security system will be a vital tool to ensure that disabled people have independence, decent incomes and fairer working lives; further recognises that two fifths of people in poverty live in a household with at least one disabled person and that the costs associated with a disability can average £550 per month, and agrees that new disability benefits powers will give the Parliament and the Scottish Government both the substantial responsibility and opportunity to support Scotland’s disabled people by halting and reversing the worst effects of Tory social security cuts, under a system that is based on the principles of dignity and respect.

5. Written Agreement between the Scottish Parliament and Scottish Government: Bruce Crawford, on behalf of the Finance and Constitution Committee, moved S5M-2937—That the Parliament, in light of the Smith Commission agreement recommendation that inter-governmental arrangements to support the devolution of further powers be “underpinned by much stronger and more transparent parliamentary scrutiny”, agrees to the written agreement with the Scottish Government on inter-governmental relations, which is set out in the Devolution (Further Powers) Committee’s 4th Report, 2016 (Session 4): *Annual Report 2015-16* (SP Paper 980), as recommended by the Finance and Constitution Committee.

After debate, the motion was agreed to (DT).

6. Business Motion: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S5M-3019—That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 13 December 2016—

after

followed by Topical Questions

insert

followed by Ministerial Statement: The Scottish Government's Improvement Plan for Education

(b) Thursday 15 December 2016—

after

followed by Scottish Government Debate: Delivering Scotland's Food Waste Target

insert

followed by Appointment of Scottish Land Commissioners and the Tenant Farm Commissioner

The motion was agreed to.

7. Decision Time: The Parliament took decisions on items 4 and 5 as noted above.

The meeting closed at 5.04 pm.

P E Grice
Clerk of the Parliament
8 December 2016

Appendix
(Note: this Appendix does not form part of the Minutes)

New Bill introduced on 8 December 2016

Railway Policing (Scotland) Bill—A Bill for an Act of the Scottish Parliament to make provision about the arrangements for the Police Service of Scotland to police railways and railway property; and for connected purposes. (SP Bill 2) (Government Bill)

Introduced by: Michael Matheson

Explanatory Notes (SP Bill 2-EN), a Financial Memorandum (SP Bill 2-FM), a Policy Memorandum (SP Bill 2-PM), and statements on legislative competence (SP Bill 2-LC) were printed to accompany the Bill.

Negative instruments

The following instruments were laid before the Parliament on 8 December 2016 and are subject to the negative procedure—

Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016 (SSI 2016/407)
laid under paragraph (4) of schedule 3 of the Road Traffic Act 1991

Parking Attendants (Wearing of Uniforms) (East Lothian Council Parking Area) Regulations 2016 (SSI 2016/408)
laid under section 134 of the Road Traffic Regulation Act 1984

Road Traffic (Parking Adjudicators) (East Lothian Council) Regulations 2016 (SSI 2016/409)
laid under section 82 of the Road Traffic Act 1991

Community Empowerment (Miscellaneous Amendments) (Scotland) Regulations 2016 (SSI 2016/411)
laid under section 142(4) of the Community Empowerment (Scotland) Act 2015

Regulation of Care (Prescribed Registers) (Scotland) Amendment Order 2016 (SSI 2016/413)
laid under section 78 of the Regulation of Care (Scotland) Act 2001

Laid only instruments

The following instrument was laid before the Parliament on 8 December 2016 and is not subject to any parliamentary procedure—

Housing (Scotland) Act 2014 (Commencement No. 6 and Transitional Provision) Order 2016 (SSI 2016/412 (C.42))
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Committee Reports

The following Report was published on 8 December 2016—

Environment, Climate Change and Land Reform Committee, 4th Report, 2016 (Session 5): Appointment of the Scottish Land Commissioners and Tenant Farming Commissioner

Other Documents

The following document was laid before the Parliament on 8 December 2016 and is not subject to any parliamentary procedure—

VisitScotland Annual Report and Financial Statements for the year ended 31 March 2016: SG/2016/223 laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

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