

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 12 February 2002
(Morning)

Session 1

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EQUAL OPPORTUNITIES COMMITTEE

4th Meeting 2002, Session 1

CONVENER

*Kate Maclean (Dundee West) (Lab)

DEPUTY CONVENER

*Kay Ullrich (West of Scotland) (SNP)

COMMITTEE MEMBERS

*Mrs Lyndsay McIntosh (Central Scotland) (Con)

*Mr Michael McMahon (Hamilton North and Bellshill) (Lab)

*Mr Gil Paterson (Central Scotland) (SNP)

*Cathy Peattie (Falkirk East) (Lab)

Tommy Sheridan (Glasgow) (SSP)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

WITNESSES

Ms Margaret Curran (Deputy Minister for Social Justice)

Yvonne Strachan (Scottish Executive Development Department)

CLERK TO THE COMMITTEE

Jim Johnston

SENIOR ASSISTANT CLERK

Richard Walsh

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 4

Scottish Parliament

Equal Opportunities Committee

Tuesday 12 February 2002

(Morning)

[THE CONVENER *opened the meeting at 11:08*]

The Convener (Kate Maclean): We will start now. I remind members and witnesses that Elizabeth McLuskey is present. She will sign British Sign Language during the meeting. If people speak clearly, that will make her job easier. I have apologies from Tommy Sheridan and from Jamie Stone, who will arrive later.

Taking Stock (Disability Issues)

The Convener: I welcome the Deputy Minister for Social Justice, Ms Margaret Curran, who will give evidence. We have expected her attendance for the past two committee meetings, but personal circumstances prevented her from coming.

There has been much interest in the taking stock exercise. Many organisations have given evidence, which shows that people are greatly interested in the matter.

Does Ms Curran want to make opening remarks before I open the meeting up to members' questions?

The Deputy Minister for Social Justice (Ms Margaret Curran): Yes.

I begin with my sincere apologies for missing the previous meetings. I know well how such matters can affect committee business, so I appreciate your forbearance towards me. I had to attend two funerals on consecutive weeks.

I usually have to be told to speak slowly to help people interpret what I say. I will do my best, but everyone knows that I have a tendency to speak more quickly if I get excited. I will try to remain calm and speak slowly.

The Convener: We will try not to make the meeting too exciting.

Ms Curran: We have been following, and are keenly interested in, the committee's work on disabilities issues. This morning's discussion will probably make it apparent that many of your observations, findings and recommendations could be helpful in developing our disability agenda.

I will begin with a quick overview of what has happened on disability issues recently, then I will

briefly look ahead. In the past two years, we have seen the publication of the Executive's equality strategy, the establishment of the Disability Rights Commission and the publication of the disability rights task force report and the Executive's response to that. Further, the Disability Discrimination Act 1995 has introduced and will continue to introduce new rights on access to goods and services, and the United Kingdom Government signed up to the European employment directive, which tackles discrimination in employment and training.

It is clear that the issues of equality and disability equality are moving higher up the political and public agendas. We want to continue that process and push it further. It might be worth while today to consider the progress that we have made, but also to look ahead to areas of future work.

Last October, we published the preliminary report on our equality strategy. That report gives evidence of the breadth and scope of our work and highlights areas in which equality for disabled people is being addressed. Mainstreaming equality, as members will know, is central to what we are trying to do, so the areas of promoting equal opportunities and developing our links with disabled people are highlighted in the report.

Work on the issue of disability equality is taking place in the Executive, across ministerial portfolios and departmental boundaries. It is clear that that issue is a shared responsibility. Our commitment can be seen across policies in housing, transport, health, education, public appointments, local government and beyond. I will briefly mention the themes of those policies, as I am sure that members will have questions about areas that they want to highlight.

In housing, our supporting people programme will enable local authorities to play a major role in the provision and funding of housing support services. Those services are intended to be person centred and accessible, regardless of tenure. They will enable vulnerable people to establish themselves in, or remain in, their own homes, independently of the community.

The then Scottish Homes introduced, at the request of the Executive, new housing design guidance called "Housing for Varying Needs—a design guide". That guidance makes it clear that barrier-free design standards are preferred for mainstream housing. Local authorities are expected to comply with that guidance. We also introduced in June 2001 strategic guidance for health, social work and housing agencies. In addition, as I am sure I told members, we have introduced a target of 20,000 new and improved social rented sector houses for the period of three years up to March 2002. Those houses will be for

affordable renting or low-cost owner-occupation and will be built to design standards that will be suitable for all, including disabled people.

In transport, we are bringing disability issues into mainstream policy making. We are establishing a mobility and access committee to advise Scottish ministers on disabled persons' transport needs.

Children and young people are a key priority for us. Children with disabilities are among the most disadvantaged and socially excluded in our communities. We are delivering support through organisations such as the Family Fund Trust, which provides grants to families with children with severe disabilities.

In education, the Special Education Needs and Disability Act 2001 extends the Disability Discrimination Act 1995 to cover school and post-school education. The Education (Disability Strategies and Pupils' Records) (Scotland) Bill will impose a planning duty on education providers to prepare accessibility strategies. Further, we are committed to promoting equality in all aspects of public life. We want to improve diversity in public appointments, and we introduced a guaranteed interview scheme for disabled candidates last October.

Another key issue in the disability movement is the notion of independent living. Direct payments have been shown to increase independence and the disability movement argues strongly for them. Direct payments also aid social inclusion, and the Executive is committed to making them more widely available. Proposals in the Community Care and Health (Scotland) Bill will help to improve take-up of direct payments. In addition, our funding of the Direct Payments Scotland project will help to put in place the support systems that are needed locally to help people manage their direct payments.

Research is also important. It allows us to understand the position of disabled people in Scotland and to develop policies that will address the needs of disabled people. We welcome the baseline study that was produced last year by the Disability Rights Commission. We were delighted to work jointly with the DRC to host a conference that considered the report and identified areas for further research.

At the UK level, we look forward to the introduction of the final stage of part III of the Disability Discrimination Act 1995. From October 2004, new duties will apply to providers of services to the public where physical features make access to their services impossible or unreasonably difficult for disabled people. We expect the new code of practice to be published shortly.

There is also the European year of people with disabilities 2003 to look forward to. That provides

us with an opportunity to raise awareness of disability and of the new requirements under the DDA. It also allows us to highlight the contribution that disabled people make at all levels of society.

The agenda is broad—as it is for all equality groups. Much has been done, but there is much to do. It will take time to develop the tools for effective mainstreaming and to embed equality and disability equality into policy development and service delivery. The Equal Opportunities Committee is a key partner in that work. We are on the road, but much remains to be done. In saying that, I think that I can say that we are at one on that. I look forward to this morning's discussions.

11:15

The Convener: Thank you.

I apologise for forgetting to welcome Yvonne Strachan and Graeme Bryce of the Scottish Executive's equality unit. They have come to give evidence and support the minister.

I will now throw the meeting open to questions.

Elaine Smith (Coatbridge and Chryston) (Lab): I want to ask a question about the definition of disability. You touched briefly on the subject during your opening remarks, but I would like to explore the issue further.

The Disability Rights Commission called recently for an extension of the definition of disability that is included in the Disability Discrimination Act 1995 to include people with cancer and HIV. I understand that the European Commission is moving towards a definition that includes physical, mental, cognitive and psychological impairment. While I recognise that the Scottish Executive cannot make changes to the DDA, devolution has shown us that the Executive can tailor solutions to suit Scottish requirements. What do you intend to do in that area?

Ms Curran: You took the words out of my mouth. The issue is reserved and we will not change the definitions. We are required to work within the legislation and within the prescribed definitions. That said, the general view that I have always taken is that definitions such as the definition of disability are not absolute, scientific terms. They will always shift and reflect the values that are dominant at the time.

It is proper for definitions to be questioned so that those definitions can be as inclusive as possible. It is also necessary to be careful that terms of reference are not made redundant or meaningless by extending them to such an extent that they change constantly. The result could be that they are not as valid, although I recognise that that was not the point that Elaine Smith was

making.

We try always to provide services for those in need. If they came within the definitions, we would try to be sympathetic to that. I would always be as open-minded as I could possibly be, to ensure that the Executive's equality strategies or policies met the needs of those in need. I have to add the caveat that we would be subject to the legal framework that applies to definitions.

Elaine Smith: I understand that, and the minister's answer was clear.

The Strathclyde centre for disability research produced the report "Disability in Scotland" for the Disability Rights Commission. The report states that

"there are no absolutely reliable estimates"

of the overall level of impairment in Scotland.

Has the Scottish Executive considered that matter? If so, has the Executive made any effort to improve the collection, dissemination and analysis of information on disability? We have noted from evidence that there does not seem to be a public database giving information about the accessibility of public buildings. Such a database could provide useful information to the public. It could also act as an audit tool for the Executive. Is there such a database? If not, do plans exist to develop one?

Ms Curran: That is an interesting point, which applies across the whole equality agenda. We often do not have the research that we need to focus our work appropriately. Particularly in the disability field, we are aware that the research is not as robust as we want it to be. I shall let Yvonne Strachan address that point. We have highlighted it as a key component of our equality work. I understand that, through working with disability-led organisations, we are trying to commission databases because we are aware of the weaknesses of the research in that field. We will develop funding to support that. Yvonne knows more of the detail.

Yvonne Strachan (Scottish Executive Development Department): There were two parts to the question. The first concerned definitions—the ways in which disability can be classified—and whether the data are collected.

The Executive acknowledges that issues concerning the definition of disability lead to difficulty in determining the precise number of people who have disabilities. That is generally acknowledged. As part of its strategy to collect more equality-disaggregated data, the Executive is considering how it can better collect that information. It is currently considering what can be done around the issues of definitions of disability for the purposes of the collection of data. It will be in contact with equivalent statistical bodies such

as the Office for National Statistics at UK level. The Executive is aware that it needs to consider how best it can collect that data and acknowledges the problems that the issue of the definition of disability presents.

The second part of your question was on whether there is a database.

Elaine Smith: On public buildings and accessibility.

Yvonne Strachan: I cannot give you an answer at the moment. We would want to check that with our building colleagues. All these issues are about being able to ensure that we have the information that is necessary. When there is an absence of that information, we would want to see what can be done to rectify that. We would have to come back to the committee to give you an update on information on building access.

Elaine Smith: Thank you very much. I look forward to receiving that information when it is available.

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): There is evidence to suggest that the existing legislation—to which you alluded earlier—is not forcing people to comply with what we all consider to be their responsibilities. Some people believe that non-compliance is due to a lack of stringent penalties, but I take the view that the legislation is only a framework around which we build ideas. How does the Scottish Executive believe that it can win the battle of hearts and minds, as some people call it?

Ms Curran: We need to do both. We must also enforce legislation when that opportunity is available. We should remember the genesis of the Disability Discrimination Act 1995. I remember a time when people said that disability discrimination legislation was not necessary. They said that it was okay to have legislation to prevent discrimination according to gender and race, but disability was not seen as a key component of the equality argument. At least now we have moved towards that. We have the Disability Rights Commission, and the implementation of the 1995 act is getting stronger all the time.

Arguments have been put forward that it would be too costly or impossible to get buildings up to the right standards but, systematically, we have shown that it is possible if there is the will to do it. It is necessary to use a degree of force with certain recalcitrant people—we must have the nerve to do that—and there is evidence that we have the nerve. There is no point in promising things that we cannot deliver, but we are showing that we are making an effort.

The second part of what you said is absolutely right. The DRC said, in evidence, that a change in

attitudes is required as much as enforcement of the legislation. That change in attitudes is at the centre of what we need to do. The Scottish Executive should use every lever at its disposal to try to shift attitudes. We should use the equality strategy, training, mainstreaming—ensuring that every policy is sensitive to disability issues—and all the powers that are at our disposal, to ensure that the panoply of Scottish government is tuned to the values that we are trying to promote.

Interesting work has been done in the Parliament by the committee to try to raise the disability agenda, particularly with individual MSPs, and I know that all of us have done some work around that in our own constituencies. That work might be publicising role models for disabled people or the achievements of disabled people, or it might be to do with countering the unacceptable attitudes that persist. That issue is about language, but it is also about certain practices that we no longer believe are acceptable. There have been improvements across the policy areas, but there is still a lot of work to be done. We are disappointed by the fact that there are not enough disabled people in public life. There need to be more disabled people at the front of agencies. We need to use every means at our disposal to do that.

Mr McMahon: The committee has argued for co-ordination, especially in the field of employment. There are many disparate organisations that are actively engaged in this area. Does the Scottish Executive have any plans to pull those organisations together? Are there strategies for co-ordination of the work that is being done by disability organisations and agencies that work primarily with that client group?

Ms Curran: That is a big question. If I was being honest, I would answer yes and no. I will let Yvonne Strachan talk about consultation and the ways in which we work with disability organisations, which is a huge issue that is involved with supporting disability organisations in their diversity, while ensuring that we hear the voices of disabled people and allow disability-led organisations to talk to the Government in a straightforward way.

You asked about the co-ordination of the agencies that work with disabled people. Through the mainstreaming agenda, we try to deliver consonance between them, if not proper co-ordination, to ensure that they work in a complementary fashion towards the policies that we are funding them to deliver and the values that we want to encourage, through initiatives such as anti-discriminatory work. A lot of progress has been made in that area, but we should not be complacent as there is much still to be done. The Scottish Executive funds many people and we

must ensure that the people whom we fund also work to those kinds of anti-discriminatory standards.

Yvonne Strachan: There are a number of national disability organisations that are able to articulate the views of their disability group, and the Disability Rights Commission provides useful advice and information to Parliament and the Scottish Executive.

The issue about consultation with disability groups is important. We continue to wrestle with the fact that not all disability groups have the same view on all issues—indeed, they should not. There is a great diversity to the approaches that various groups might want to take in order to advance their interest. The Executive has tried to find a mechanism by which we can best engage with various groups. Since the demise of Disability Scotland, we have been funding two disability organisations—Inclusion Scotland and the Scottish disability equality forum—and have asked them to consider ways in which they might enable disabled people to get access to the consultation process and the Executive. That process is on-going and we think that there is still more work to be done. More needs to be done to engage with other stakeholder and disability groups that work for disabled people but which are not part of Inclusion Scotland or the SDEF. The Executive intends to extend the process of consultation and dialogue with those groups to consider how we can move the process forward.

That is a big issue. Our concern is to ensure that we do something that genuinely reflects the needs and aspirations of disabled people, not something that is adopted because the Executive or someone else has determined that that is the way to go. We want genuine dialogue and consultation about the right routes to provide the consultative mechanisms, so that vehicles for the voices of disabled people to be heard truly exist in the context of the Executive's work and, indeed, in the Parliament and public life beyond that.

11:30

Cathy Peattie (Falkirk East) (Lab): The minister mentioned the mobility and access committee. What access will users have to that committee? It is all very well to have a committee, but if there is no user access, that could be an issue.

What role will the stakeholders have in monitoring and evaluating progress? It is all very well for someone in an office to say that something is doing well and that they talk to everyone to whom they need to talk, but if the people on the ground do not feel that it is making any difference, we would be as well not bothering. It is important

that stakeholders are involved.

Ms Curran: In principle, we certainly subscribe to the idea of stakeholders having a role in monitoring and evaluation. The convener and at least 50 per cent of members of the mobility and access committee will be people with disabilities. Yvonne Strachan is more involved with that and can perhaps talk a bit more about how the committee will operate.

We accept strongly the principle of stakeholder involvement. Is your question about general monitoring and evaluation across the range of policies?

Cathy Peattie: Yes.

Ms Curran: That ties in with Yvonne Strachan's argument. It would be much easier if there were one disability organisation that represented every disability group in Scotland. We could invite that organisation to sit on a committee with us and talk through how we are developing our work on disability. However, the situation is understandably more complex than that, and so it should be.

We want to establish opportunities, in a variety of forms, for information and consultation. At a more advanced stage, we want to establish dialogue and more sophisticated monitoring and evaluation of all our policies. That is embedded in the equality strategy, but we are conscious that we need to deepen it in our disability work. That is why we are adopting the stakeholder approach.

Cathy Peattie: You are aware of the stakeholder approach. You will, therefore, be aware that the approach needs to be adopted now, not two or three years down the line. I am interested in how it will be embedded in the strategy.

Ms Curran: We accept that we will not get proper monitoring and evaluation if we wait until three years after the work has been done before asking people how they thought that it went. The approach must be built into the process of the work that we are undertaking. That is the model that we are trying to adopt.

I will let Yvonne Strachan take you through the details. She has been working with the organisations.

Yvonne Strachan: A process that allows on-going discussion between the Executive and disability groups about what is happening is the key part of the dialogue with those groups and of ensuring that whatever mechanism is created reflects, as far as it can, the aspirations of disabled people. In that way, we have evaluation of what we are doing because the criticism or dialogue is happening continually.

There are things that the Executive will want to

develop more formally in its monitoring and evaluation frameworks, which we are still in the process of developing, to try to ensure that quality for disability groups and others is part of the general process. We need to consider, and are considering, how we can evaluate properly our work on equality. We have accountability to the Parliament through annual reports on our equality work, which will allow public scrutiny of the activities in which we are engaged.

Mr McMahon: You mentioned the demise of Disability Scotland. When that organisation got into difficulties, someone said that, if Disability Scotland had not existed, it would have had to be invented. Do you have any sense of a feeling among the disability groups that, as the organisation no longer exists, it must be reinvented, even if in another form? Is something missing because Disability Scotland no longer exists?

Ms Curran: That is an interesting question.

Yvonne Strachan: Disability Scotland provided a valuable source of information, advice and co-ordination. The Parliament and the Executive have developed their equality activities in a new context that is signified by the establishment of the Disability Rights Commission.

Disability Scotland has gone, but the new context involves disabled people in consultation and dialogue. Those continuing discussions are trying to ensure that the mechanism that is agreed will properly meet required needs. It is not a question of whether we should have Disability Scotland mark 2. We need to explore appropriate consultation forms with disabled people and disability groups, so that we can decide what form will ensure that their needs will be met in the new context. That is what we aim to do and we would appreciate the committee's help.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I want to probe the minister about the cross-cutting issue. Your earlier remarks indicated that disabled people's needs cut across all aspects of life in Scotland, including administration. What structures are in place or planned to ensure that disabled people's rights and needs are adequately considered and promoted by Parliament and the Executive in all aspects of legislation? I want to get to the guts of what is in place and what is planned.

Ms Curran: To be honest, it is difficult to ensure that one creates a mechanism that does not become an end in itself, but delivers the mainstreaming agenda. That issue runs through the equality agenda and we spend much time considering it. When everybody is onside and working well together, one is home and dry. However, not everyone has equality and disability

needs at the top of their agenda. People often have to be made to take those issues on board. That explains, partly, the way in which we have used our equality strategy. The strategy is a lever to ensure that we work closely with key organisations.

Members will know that we are piloting the equality strategy in housing, schools and education. I can take members through the work that we are doing in disability and housing, for example, with which I am familiar. We have done a substantial amount of work in that area and we are beginning to get evidence that the mainstreaming approach is working.

The Scottish Executive equality unit is linking with key departments in other parts of the Executive. The equality unit links with an appropriate department within a portfolio and delivers real change. For example, for a considerable period prior to the legislative passage of the Housing (Scotland) Bill—now the Housing (Scotland) Act 2001—the equality unit worked through different aspects of the bill in terms of equality generally and specifically in terms of disabled people's needs. Similar work was done on the Community Care and Health (Scotland) Bill and in education. That detailed work goes on from minister to minister and from official to official. That is our mainstreaming approach.

The committee wants to get to the guts of the mainstreaming approach to understand how it works and delivers. We look forward to continuing that dialogue with the committee, which is why we would like to have the seminar. We need a detailed discussion about how we develop that work.

The Convener: The Deputy Minister for Health and Community Care, Hugh Henry, announced today the establishment of a consultative forum for older people that would involve older people in the beginning of the policy-making process. Would you consider doing something similar for disabled people?

Ms Curran: I am sorry—

The Convener: I am not asking you to comment on what Hugh Henry said. He announced the establishment of a consultative forum that will consist of older people, who will discuss policies and issues that affect older people. That will effectively put older people at the beginning of the policy process. I wondered whether you would consider doing that for disabled people.

Ms Curran: There is nothing that I would not consider to develop the disability agenda. If I thought that there was a model that would take us even part of the way, I would consider it with an open mind, particularly if I thought that it would

complement and deepen our mainstreaming policy. It sounds to me that the consultative forum model could do that for us. I would be interested in looking at that.

I do not want to be complacent about mainstreaming, because it is difficult. One comes up against significant institutional resistance to change, not because people are malevolent and deeply discriminatory, but because they often have other agendas and issues on their table and are working to a particular script. When one comes along and asks them to include something else on their agenda, they often, with the best will in the world, do not do that unless they have to.

We must ensure that the equality agenda is a have-to agenda, and is not something that only those who are interested in the area need to have regard for. We have to make it central to everything that we do. We will always be open-minded about any ways of doing that.

Mr Gil Paterson (Central Scotland) (SNP): Michael McMahon asked a question about compliance and penalties. There has been strong criticism from people who feel that the penalties are not strong enough. Does work need to be done in that area? Is not the construction lobby perhaps a bit too strong? Perhaps I should declare an interest, because I have built a few places in my time. I own older properties as well. I sympathise with people who have older properties because I know that changing such properties takes a lot of thought and money, but there is no excuse for not considering people with disabilities when new properties are being built. Do we need to beef up the legislation on that, or perhaps just implement the existing legislation more effectively?

Ms Curran: I should probably declare an interest in that I am the minister responsible for housing. We have to be forceful with housing lobbies in relation to standards and modern concepts relating to disability—I have no difficulty with that. We are making progress in our attempt to integrate those ideas into new building standards.

Overall, I think that we are making progress. Evidence of that can be seen in the profile of building in Scotland, in who is and is not complying with the legislation, and in the plans for the next phase of its implementation. I am not persuaded that we have to go for the imposition of greater penalties at this point.

On the other hand, I do not want to sound complacent. People have not always jumped up and said, "We are really happy about this legislation, let's implement it as quickly as possible." I criticised the previous Government for not implementing parts of the Disability

Discrimination Act 1995 as effectively as it could have done. It has taken us a while to make progress on the legislation—the act was passed almost 10 years ago—so I can understand the frustration of disabled people.

We can tell people that they must do certain things, but if the means—the buildings and resources—are not there, it is difficult for them to do anything. It is therefore acceptable to say that people are expected to comply with the act within reason. That will ensure that we do not ask people to do the impossible. However, we have tried to ensure that people have time to comply with the act and we must encourage businesses and housing interests to comply with it. If that approach does not work, there might be an argument for having stronger penalties, but we are making enough progress at the moment.

Mr Paterson: Next year, 2003, is the European year of people with disabilities. We have had a response to a question that we asked about the committee that is to be set up. There will be one Scottish representative on that committee and it seems that there is no linkage for Scotland. It has been suggested that rather than linking Scotland to a UK committee, there should be a peculiar—by which I mean special, not strange—committee for Scotland. What is the Executive's view about the setting up of a Scottish committee, given that 2003 is not far away?

Ms Curran: The wording of your question threw me a bit.

We are considering setting up a Scottish committee. I am very keen to do that. As the minister responsible for the issue, my focus is on what we do in Scotland, notwithstanding that it is all part of the British picture and we obviously want to work in partnership with the British Government. We have a significant opportunity in 2003 and I would be loth to see that opportunity lost.

We must work hard and energetically to promote all the opportunities that are provided by the Disability Discrimination Act 1995. That is a major requirement on which we must deliver. Because of all the other issues that we are talking about, such as attitudinal issues and the need to promote and embed the disability agenda, we have a big opportunity. We are beginning to have long and serious discussions about how we will use that opportunity to pursue the disability agenda in Scotland.

I do not know whether you are pleased to hear it, but the idea is that there will be a dedicated Scottish focus to the work. We will work in partnership where that is appropriate, but we will use whatever opportunities we have.

11:45

Mr Paterson: That is extremely good news to me and, I am sure, to most members. Will the Executive think about making a statement on behalf of Scotland? Perhaps the committee could do something special for 2003 to put Scotland on the map. I bat that idea to you. I have no idea what that something could be; I am just throwing the idea on to the table to stimulate debate.

Ms Curran: I do not want to deceive you and pretend that we have some sophisticated plans that we are hiding. We are not there yet. However, we have had some discussion about the need to start planning now to make use of the opportunity. The idea relates to what Cathy Peattie said about working with disability organisations. We are keen to pursue the issue and will certainly take that idea on board.

The Convener: I will allow Cathy Peattie to ask a brief question, then I want to move back to housing.

Cathy Peattie: I think that a Scottish committee is a great idea. When you are considering it, will you consider linking the committee with volunteering? My experience of volunteering lies in promoting the involvement of people with disabilities. Many of the organisations that you are talking about have active volunteers with disabilities. That is a positive role model for other folk and for the wider community. Instead of folk with disabilities having things done to them, they could become actively involved in their communities. Perhaps that could be a good vehicle to promote the wider participation of folk with disabilities in other fields and organisations. Would you consider linking that idea with the promotion of the European year of people with disabilities in 2003?

Ms Curran: Yes. That is a good point. The voluntary sector has given some consideration to that. I will pursue that idea and process it quickly to ensure that the idea is integrated.

Kay Ullrich (West of Scotland) (SNP): The right to appropriate and accessible housing is fundamental to the needs of people with disabilities. There is a recurrent problem in the responses that we have received. Almost half of the adapted homes in Scotland are occupied by people who do not need the adaptations. It appears that 60 per cent of wheelchair-accessible homes are occupied by people who are not wheelchair users.

In addition, the Disabled Persons Housing Service told us that, over and above ineffective use of what is available, there is a huge shortfall in adapted properties. The Royal Incorporation of Architects in Scotland said:

"Current conservative estimates state that there is a shortfall of over 35,000 wheelchair accessible homes, and many more homes suitable for Ambulant Disabled People are also required."

There appears to be a problem of mismatch and perhaps a lack of detailed information on where the properties are, whether they are available and whether they match the needs in particular areas. What are you doing to tackle the mismatch of needs and provision?

Ms Curran: That is a serious and difficult problem. You will know why we have often ended up in that situation—perhaps somebody who was disabled has died and the spouse has stayed in the house, or somebody has inherited the house. That issue arose during stage 2 of the Housing (Scotland) Bill. You will appreciate the dilemma that we are faced with. The convener gave evidence either to me or to the Social Justice Committee—I cannot remember which—that we cannot throw people out of their houses because their spouse has passed on. The dilemma is not easily resolved.

Some local authorities have tried to introduce a process to encourage exchanges or to encourage people to release the adapted property. A suggestion was made about how to encourage people to move on—I cannot remember the exact phrase that was used—once they no longer needed the property, but disability organisations were uncomfortable about that. Members will be aware that there were debates about the right to buy in this context. One amendment to the Housing (Scotland) Bill proposed that the right to buy should not apply to homes with adaptations. There was concern about that proposal, because some people thought that it would be discriminatory.

Kay Ullrich: Yes, it could be discriminatory.

Ms Curran: We have to be careful to be even-handed and to maximise the opportunities that are available to disabled people and their families.

The answer to the problem does not necessarily lie in exchanges or allocation policies, although some marginal movement might be achieved by those means. The answer is really investment in housing across the board.

Kay Ullrich: Do we need to find out exactly where the adapted houses are? Is any work under way to improve record keeping about adapted and improved properties, both private and public?

Ms Curran: I would need to get back to you on that to be sure that you get the right answer. In the socially rented sector, there is much better information and records of adaptations. That information is improving following some of the developments in recent years. I am not sure about the private sector, as I am just beginning to look

into work in that area. You are absolutely right that we need to work on that information. I will get back to the committee about it.

Kay Ullrich: I know where you are coming from. From my previous involvement in social work and from personal experience—from when my mother no longer needed help in the bath, for example—I know that it is difficult to get social work departments to take back the bath adaptations, the zimmer, the alarm system and so on. The social work department would rather that I had gone away than arrive with all that stuff in the boot of my car, asking to give it back.

That mindset affects housing in broader terms. Adaptations and devices are reusable, and houses may be reused for the purpose for which they were built. If we got that idea across, perhaps a person whose spouse had died might see the benefit in moving from the family home in order that the loved one of somebody in similar circumstances could acquire an adapted home.

Ms Curran: That is why we have to deal with this issue in the context of improving housing across the board. If the spouse has a better house—or at least as good a house—to go to, they are perhaps more likely to move. If, on the other hand, people think that their housing will be downgraded, we can understand why they would not want to move. It is a broader housing policy issue.

Kay Ullrich: I want to ask about the difference between publicly funded housing and private housing. There seems to be a problem, in that for a number of years the publicly funded housing has been built, barrier free, to a minimum standard of accessibility. New private housing need only meet the visitability standards. Even those mere visitability standards can be waived if the building control officer can be persuaded that they are unreasonably costly to maintain.

What ability does the Executive have to intervene in private housing? It is much easier to have the requirements laid down in the case of public housing, as the minister has suggested already.

Ms Curran: We are doing quite a bit on building regulations, but people would still say that the situation is far from perfect. We always need to keep such things under review. However, the building standards regulations are improving as we move forward.

I have recently taken over responsibility for the housing improvement task force, which encompasses the second part of our housing responsibilities in Scotland; the Housing (Scotland) Act 2001 benefited the socially rented sector. Some people felt that we should be doing more for the private sector, and we are now

progressing with that work. One of the first things that we did was to ensure that equal opportunities were embedded into the housing improvement task force's work. The next phase of the work will involve a workshop, in which equal opportunities issues will be discussed. I will ensure that those issues form part of the discussions.

We will ensure that equal opportunities are central to the agendas of all the housing agencies, particularly Communities Scotland and other agencies with which we have some leverage.

Mrs Lyndsay McIntosh (Central Scotland) (Con): I attended the conference of the Royal National Institute for Deaf People last week. Several things cropped up from that, and from the evidence that we have received, about which I would like to ask a couple of questions.

It has been suggested that there is a lot of dissatisfaction over the level of information provision in deaf-friendly formats, including subtitling, simplified English with graphics and through British Sign Language interpreters. We are fortunate to have a BSL interpreter with us today; it is not always easy to get one—and I hope to goodness that our interpreter gets a break eventually. I am alluding to Scottish Executive television adverts and improving access to Executive departments. Are there any initiatives or plans under way to improve the provision of information, in particular information on public services, in deaf-friendly formats?

The Convener: Lyndsay McIntosh made a point about our interpreter. The meeting might continue for another 20 minutes, so before I invite the minister to answer the question, we should suspend the meeting for about five minutes so that the interpreter can have a break and get a cup of tea.

11:55

Meeting suspended.

12:02

On resuming—

The Convener: Does Lyndsay McIntosh have any further questions?

Mrs McIntosh: I have just a couple more. I am sorry for disrupting the meeting like that, but it was important. Friendly formats?

Ms Curran: Am I to respond to that?

Mrs McIntosh: I hope so.

Ms Curran: Sorry. I have been asked to speak more slowly. I shall do my best, but it does not come naturally to me, as you all know.

I think that you are asking whether we are deaf friendly. To be honest, we are not deaf friendly enough. We saw some of the submissions that were made to the committee during its taking stock exercise, which were interesting and made us think. One of the things that crossed my mind immediately was our advert on domestic abuse, which should have been delivered a bit better.

We decided to raise those issues with the communications team. Communications officers and strategies are attached to all Scottish Executive departments. We must take the issue of deaf awareness to the communications agenda, particularly in the adverts that are used by the Scottish Executive and in any other material that we issue. We are beginning to recognise the agenda, but we need to move a good deal further in implementing it.

You will know that we have set up the BSL and linguistic access working group to develop a more strategic approach.

Mrs McIntosh: You are getting ahead of me, minister.

Ms Curran: Sorry. Shall I shut up?

Mrs McIntosh: No. Carry on.

Ms Curran: The training of interpreters will also be on the agenda and we will continue to assess that work, which is on-going. We are waiting for the results and working closely with the RNID and others to develop the agenda. We must hold up our hands and say that we have not progressed enough.

The Convener: There are far too few BSL interpreters. That is why we have only one interpreter here today—to provide adequate breaks, we should really have two. Do you have a time scale for the consideration of that issue? It takes years to train someone to the level at which they can interpret at a meeting such as this. That crucial issue does not seem to be being addressed.

Ms Curran: The Parliament has had several debates on the issue, which is critically important and which grips members. I accept what the convener said about the urgency that is required to meet the need. We do not have a time scale; we are still considering how to pursue the issue as effectively as possible.

Mrs McIntosh: I know that it is not in your remit—we cannot ascribe to you the lack of progress on the issue—but people who try to access local authority services are poorly received. They are not encouraged to come forward to try to access help. It is not your job to encourage them, but what are you doing to promote best practice? Are you using a wee bit of muscle?

Ms Curran: I would happily do that if it would make somebody listen.

Mrs McIntosh is a bit harsh on local authorities, some of which have made progress. Many local authority buildings are a million light years away from their state 20 years ago. I have raised equality and gender issues for many years—I can tell from Kay Ullrich's face that the same is true of her. That was not easy a generation ago. Local authority services have made considerable progress, although that progress is imperfect. At least some rooms have loop hearing systems and disabled people have access to some facilities. It is recognised that interpreters should be provided, although they are not always properly funded.

That takes us back to the mainstreaming agenda. I am more familiar with housing. We will integrate equal opportunities issues into our guidance on housing. Indeed, that is a statutory requirement under the Housing (Scotland) Act 2001. We must encourage our colleagues to integrate equal opportunities into every step that they take so that it becomes second nature to think clearly about the needs of key groups. When services are delivered for older people, equal opportunities issues should be considered automatically. Work still needs to be done.

Mrs McIntosh: I will call it quits at that.

Cathy Peattie: The minister mentioned schools and education. Some good work is being done on disability issues, but does the minister agree that a lot of work remains to be done on hearts and minds? The matter is not only about installing access ramps in schools. Children in the classroom must receive the support that they need for their disabilities, which are not always physical. How do we overcome that? When will objectives be set? I am not sure whether the Education (Disability Strategies and Pupils' Records) (Scotland) Bill will do that.

Ms Curran: That is a profound question. It is difficult for Scottish people because we do not prescribe what teachers say and do in classrooms. The matter goes back to Elaine Smith's question. From my experience of schools—I have had children at school—and considering some of the definitions and stereotypes about mental health, I am horrified that children are not challenged about their attitudes and language. Considerable work needs to be done on stereotypical images of disabled people and on support for disabled children. People are more aware of race and gender issues and of the language and communication that is acceptable, but that is not true to the same extent with disability issues. One picks that up from the ether when one goes into schools. A lot more work needs to be done.

There are issues about physical access, educational support and how disabled people are presented in the curriculum, but there is also the social education of children. We have considerable work to do on encouraging children to have broad-minded and non-discriminatory attitudes. Such attitudes not only make life better for disabled people, they make children's lives better by making them rounded and better human beings.

Cathy Peattie: Would new community schools help with educating the wider community?

Ms Curran: They could broaden out education and integrate social work and health issues into schools to get a more holistic approach. That would link living experiences into the learning process. However, we must not think that new community schools would provide all the answers because that is not necessarily the case. Difficult attitudes about disabled people are not confined to areas of exclusion; they are found in leafy suburbs as much as anywhere else. Community schools are only part of the answer.

As part of the national debate on education, there is an opportunity for the committee and us, as equality ministers, to encourage the idea that learning is not only about qualifications, but about learning to be proper human beings. That involves an understanding of disability issues and a commitment to the idea that everyone should have the opportunity to live to their full potential.

The Convener: We will have one more question from Elaine Smith, but it must be brief.

Elaine Smith: Thank you for giving me the last word.

The Zero Tolerance respect project springs to mind. Given its success, if that project were rolled out throughout the curriculum, that would go a long way towards engendering respectful attitudes.

Ms Curran: The evaluation that we had of the project showed that it was successful and had an impact on young peoples' attitudes and behaviour. This is about a framework of attitudes, not just about being nice to a list of people. What is important is how people live their lives and the values that underpin them.

The Convener: I thank the minister for coming. I remind her that there are a few outstanding issues on which she promised to respond. We look forward to those responses.

I thank Elizabeth McLuskey for interpreting the meeting.

Meeting closed at 12:11.

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