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Tuesday 2 October 2018

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Scottish Parliament

Tuesday 2 October 2018

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business is time for reflection. Our time for reflection leader is the Rev Ian MacDonald, who is the senior minister at Holy Trinity church in Edinburgh.

The Rev Ian MacDonald (Holy Trinity Church of Scotland, Wester Hailes, Edinburgh): Thank you for this opportunity to address you today. As you may know, one of the duties and, indeed, privileges of the Christian faith is to pray for the leaders and those in authority. I want to assure you that the Kirk prays for you regularly before the god and father of our Lord Jesus Christ. I might add that we pray for you, not against you, despite what somebody might have told you. Thank you for your hard work and your service, particularly whenever you have demonstrated compassion for the poorest in our communities.

I will start with a question. What do the sewing machine, insulin treatment for diabetics and the double helix structure of DNA have in common? The answer is that it is claimed that they were all revealed by dream or vision. Vision is something that is important for the people of Scotland today. The Bible says:

“Where there is no vision the people cast off restraint, but happy are they that keep the law.”

I believe that there is a lawgiver—a reason for the inexplicable fact that everything in the observable universe of vast solar systems and myriad galaxies, and of the minutest quarks and gluons, follows laws. Christians believe that God has revealed himself as lawgiver not only in the world around us but also in scripture and is therefore the one to whom we must give account. Those laws, on which our justice system is based, are boundaries that protect us, and, applied in love, they add to the happiness of the people. It can feel exhilarating to throw off those laws, but only for a moment. Perhaps, for some in our society, it has felt exciting to cast off the Judeo-Christian ethic that has cemented western society for two millennia. However, casting off all restraint leaves people alone, addicted and without purpose. I once watched a game of rugby union where a tackle came in with such force that it caused a player’s leg to go back at the knee—it has to be imagined rather than described. The television cameras showed it from every possible

angle. That leg was completely free, but it was useless. It was never designed to be like that.

I speak today to those entrusted with enacting laws that set the boundaries of freedom in Scotland. However, if our laws and freedoms are to bring happiness to our nation, we need vision. Vision is not something that you get after the pressing matters of the day are out of the way. Vision never comes about by committee—and if the Scottish Parliament and the Church of Scotland have one thing in common, it may be committees. Vision comes when a man or woman sees what could be.

I have served the people of Wester Hailes for 13 years. We have a vision of a time when loneliness, addiction and purposelessness are things that are spoken of only in the past tense. It is a vision that I believe that local churches in local communities are ideally placed to provide the answer to.

If I or the community that I serve lack vision, there is an ancient prayer that is available to all—even to members of this Parliament. Someone turned it into a timeless hymn. It simply says, “Be Thou My Vision”.

Thanks for listening.

Motion of Condolence

14:04

The Presiding Officer (Ken Macintosh): The next item of business is one that we would all prefer not to be holding: a motion of condolence following the death of our former Presiding Officer and colleague Sir Alex Fergusson.

Alex and I started together, both of us enjoying the privilege of being elected to Parliament as part of the first intake of members in 1999. He came to this place having lived a life outside politics, and he never lost his real-world take on the issues that were before us. Alex was both impassioned and knowledgeable on matters relating to rural Scotland, and in particular on issues affecting the south-west of this country. Allied to his natural good humour, intelligence and approachability was the fact that when Alex spoke, people listened.

This is still a relatively young Parliament, but when we look back at events of significance in its development, among them will undoubtedly be Alex's election as Presiding Officer in 2007. It was a year in which the people of Scotland decided to elect our first ever minority Government—a situation that gave rise to new political challenges to match the changing political dynamic. In such uncharted waters, the Parliament needed someone who could be trusted, who was fair and balanced and who was liked and respected across the parties—and, of course, we turned to Alex. However, as I alluded to earlier, Alex was not a career politician; he did not seek high office. He got into politics later than most out of a sense of duty and service, and to give voice to the issues and causes in which he believed. At Westminster, on the election of their chosen Speaker, members of Parliament play out a little scene in which the successful candidate is dragged reluctantly from the green benches to the Speaker's chair. With Alex, that was no metaphorical enactment or political playlet but the reality of his sense of duty winning out over his own political priorities. With Parliament at an impasse, Alex agreed to accept the role of Presiding Officer that had been thrust upon him.

As the evidence of his time in office reveals, this Parliament demonstrated its wisdom in electing him. After all, it takes a special talent to navigate the Parliament's first minority Government, to vote down a £33 billion budget bill, notoriously to mix up a football semi-final cup draw, and constantly to break to uninformed correspondents the disappointing news that he was not responsible for picking the Manchester United first team. Many of us not only admired Alex's many qualities and talents but would be proud to emulate his example and end up by leaving this place with more friends

than when we were first elected. When news came of Alex's untimely death, I was struck not only by the kind words of fellow MSPs but by the fondness with which he was remembered by parliamentary staff; from those who worked alongside him in his private office to clerks, researchers, and information technology and other support staff, it was apparent that the feelings of shock and sadness were not exclusive. Kind words for a man who had always had a kind word for those he met—a true gentleman.

In saying goodbye to Alex, Parliament is saying goodbye to a good friend who made a great mark on this place. Our thoughts and prayers are very much with his wife, Merryn, and his wider family, whom we are honoured to have with us in the public gallery today.

Goodbye, Presiding Officer. Goodbye, Alex. Thank you very much for your service and friendship.

14:09

Ruth Davidson (Edinburgh Central) (Con): Presiding Officer, at August's memorial service for Sir Alex Fergusson, which you attended along with your predecessors, the Deputy First Minister and many others who are here today, we came together to commemorate a life well lived—a life of public service, of duty and of profound decency.

Today, we come together again, and it is right and fitting that Parliament should meet to remember one of its own—our third Presiding Officer; the first whom we have lost, and a politician who served here for 17 years and who was, I think it is fair to say, not just respected, but loved.

At that remarkable memorial service in Kirkcudbright parish church six weeks ago, it was impossible not to be very moved by the stories that came flooding from people whose lives had been touched by Alex. David Mundell, the Secretary of State for Scotland, described him as “the most thoroughly decent” man he had had the good fortune to meet, to befriend and to have instruct him in the ways of sheep farming.

The wonderful eulogy by Alex's brother, John, captured not just the panic of Manchester United fans on social media at the announcement of Alex's passing, but all the humour, humanity and truly terrible driving habits of the man. We heard from Alex himself, who told us, in his own words, to belt out the hymns that he had chosen for the service and how, in his final days, he was without regret or bitterness. He had gone but, on that day, his humanity breathed on gloriously.

For me, the most telling contribution was the comment that was relayed from one of Alex's

medical staff, who said that they had watched the family around him in his final days and had seen a great closeness and love between them. What a legacy.

We are so pleased to be able to welcome to the Parliament his wife, Merryn; his mother, Auriole; his brother, JG; his sister, Henrietta; and his youngest son, Christopher. We thank you for lending Alex to us, even for a short time. It was time well spent.

For the Scottish Conservatives, Alex's death has left a huge hole, but it is right to say that he was first and foremost a parliamentarian, and today all in this Parliament mourn him together.

It is fitting, too, that today we welcome 60 pupils from Dalbeattie high school, which is in Alex's patch. As a champion of the region and of young people's interest in politics, he would have loved to have seen them all here.

Alex was not a career politician. He was a farmer, who took over management of the family farm in Barr in Carrick in 1971, but he soon got involved in life beyond the farm gate. As former MSP Murray Tosh, his close colleague and friend, has observed, he felt that his beloved south-west of Scotland had its own distinct interests that needed to be represented more effectively, so it was from his lived experience that his political career began.

Characteristically for a Scottish Conservative, his first attempt to get into politics failed when he stood for the South Carrick ward in 1995, but he had got the bug, and when, in 1997, the devolution referendum was passed, he decided to stand for this new Parliament. He was always a committed devolutionist. It was something that he was to pursue all his career, including as a member of the party's Strathclyde commission, which, in 2014, recommended a series of wide-ranging increases in the Parliament's powers.

In the 1999 election, he did not win his constituency, but was elected on the party list. As one of 129 new MSPs, he soon stood out. *The Scotsman* diarist Rab McNeil coined for him the name "Hercules", thanks to his fine public bearing and his star turn alongside Alex Johnstone in the annual tug of war. The ribbing was always affectionate, and when Alex retired in 2016, Rab was to declare:

"It's a great shame he is retiring because, for a Tory, he came heavily disguised as a human being." [*Laughter.*]

I couldn't possibly comment.

Alex stood out in other ways, too. He did not go in for personal attacks and had fine relations with Alasdair Morgan, the Scottish National Party MSP who had beaten him to the Galloway and Upper Nithsdale constituency. However, people soon

learned not to mistake his personal courtesy for weakness. On the issues that mattered to him, he was tough and uncompromising. As David Mundell said last month, when foot-and-mouth disease hit in 2001, Alex emerged as the most dogged and best-informed challenger of the Scottish Executive's handling of the crisis. That was because, in private, he spoke every day to individual farmers and businesses from all over Scotland, listened to their concerns, offered support and connected them to people in power.

In 2003, that hard work paid off when he won the Galloway and Upper Nithsdale seat. Four years later, after another session putting the interests of his constituents first, he increased his majority from 99 to 3,333. It was 2007, the SNP had just won the election by a single seat, and neither the SNP nor Labour was able to give up an MSP for the vacant post of Presiding Officer, so Alex was sounded out. His first concern was whether, in that job, he would still be able to represent his constituents. Having been assured that that was the case, he took the job on.

Faced with an unprecedented minority Government, his courtesy, wise judgment and steeliness were to stand him in good stead, whether in reprimanding the then Labour MSP George Foulkes for unparliamentary behaviour—there are always small pleasures in politics—or in dealing with SNP ministers to ensure that the business of government kept going.

Alex Fergusson was a fine representative of Parliament outside it, too. In 2009, he took a delegation of MSPs to New Zealand. During the visit, the group was informed that it was due to go to a marae—a sacred place in Maori culture—where it is standard practice for the Maori hosts to sing to their guests and for the guests to respond in turn. As a man of music and a folk singer of some renown, Alex was not going to let that challenge go missing. I am told that he hustled Ted Brocklebank, Ross Finnie, Rhoda Grant and Sandra White into a kind of "Scotland's Got Talent" outfit, with Alex demanding that they spend the entire evening practising how to sing psalm 23—because he always did like a shepherd. I am told that the Scottish Parliament choir's rendition the following day was, indeed, spectacular.

Typically, Alex did not see the role of Presiding Officer as a full stop, so in 2011 he insisted on staying on as a constituency MSP. His personal connection and affinity with the south-west ensured that, in an election in which the SNP swept the board, Alex was re-elected for a third time.

As a former head of the Blackface Sheep Breeders' Association, he was appointed as president of the Royal Highland and Agricultural Society of Scotland in 2012—something in which I

know he took immense pride. Two years ago, fittingly he was knighted in the Queen's birthday honours for a life of unceasing public service.

Even as he was falling ill earlier this summer, that service continued. As a patron of the Galloway National Park Association, he continued to campaign for Scotland's third national park, and I very much hope that, with the campaign continuing, the creation of such a park in Galloway might be a legacy for him.

Three weeks before he died, he was still commentating. When two of our Scottish Conservative group wrote a joint piece from opposite sides of the debate, backing a compromise deal on Brexit, Alex took to Twitter to declare:

"What a welcome and sensible dose of straight up no-nonsense common sense. More please!!"

He knew full well at that point that he would not see the Brexit negotiations conclude, but he was still engaged, still passionate and still urging the practical and realistic way forward. My word! We could do with more Alex Fergussons, right now.

For all his titles and honours and appointments, Alex was simply a good man. He was a lover of sport; of music; of Burns; of a decent meal, glass of wine and a whisky; of family and friends; and of his community. He was a man who knew that we are nothing unless we uphold the ties that bind us, and who understood that common courtesy is important, that passionate debate is vital and that politics is about service to others, and not to one's self.

At the wonderful memorial service in August, we were all reminded that he was also a family man who was so proud of his three sons and of his wider family—a family who gave him a send-off to remember.

The example and the humanity of Sir Alex Fergusson will stay in our hearts for some time to come. We offer his family our deepest condolences in their loss.

I move,

That the Parliament expresses its deep sadness at the death of The Rt Hon Sir Alex Fergusson DL; offers its sympathy and condolences to his family and friends; appreciates his wide contribution to public life, particularly his distinguished tenure as Presiding Officer of the Scottish Parliament, and recognises the high esteem in which he was held by colleagues from all parties and the principled, dedicated and considered way he represented the people of Galloway and West Dumfries.

[Applause.]

14:18

The First Minister (Nicola Sturgeon): On behalf of the SNP and the Scottish Government,

let me join in support for the motion in Ruth Davidson's name. Like all of us across the Parliament, I was very saddened to hear of Sir Alex Fergusson's passing, and I am glad that his family are able to join us today to hear us pay tribute to a very special human being.

As we have heard, Alex came to front-line politics relatively late in life. Before his election, he had a long, distinguished and successful career as a farmer. That experience of farming and land issues undoubtedly contributed to his decision to enter politics.

In 1999, he was part of the initial intake of MSPs to the Scottish Parliament. Those of us who were privileged to be elected to that first Parliament were all acutely aware that, whatever our differing political views, we had a duty to ensure that we helped to create a Parliament that lived up to the expectations of all those who had campaigned for it, and a Parliament that was able to prove the sceptics wrong. Few members of that first Scottish Parliament embodied that spirit better than Alex.

My personal memories of Alex when I first got to know him are of someone who was just as concerned about upholding the reputation of this Parliament as he was about advancing his own political beliefs. He had the particular gift of being able to argue his own case with rigour—and he did so—while remaining on the friendliest of terms with political opponents across the chamber.

That served him well during the early years of the Parliament, when he was a distinguished convener of the Rural Development Committee. His period as committee convener coincided with the aftermath of the foot-and-mouth outbreak in 2001 and the passage of the Protection of Wild Mammals (Scotland) Act 2002 on hunting. It says a huge amount that his handling of those and other sensitive issues served only to enhance his reputation. Colleagues on the committee recall how he was always willing to put on and take off his political hat, reminding different parties of the bigger picture and highlighting to MSPs that being political opponents did not have to mean becoming political enemies. Perhaps all of us would do well to remember that in the times in which we live today.

Those traits received fitting recognition in 2007, when Alex became the Scottish Parliament's third Presiding Officer. At the time of his election, his predecessor George Reid said:

"You have just elected a decent and honourable man to head this house."—[*Official Report*, 14 May 2007; c 11.]

George's remark was borne out completely by Alex's time in office. As the Presiding Officer noted, Alex was the first Presiding Officer to serve during a period of minority Government. As I am sure you recognise, Presiding Officer, that is not

always a straightforward task. However, he was highly effective in his role. SNP members who sat on the Parliament's business bureau during those years talk about the important role that Alex played in banging heads together behind the scenes whenever that was necessary. Above all, he fostered trust among the parties' business managers, which in turn enabled them to chart a way forward in which everyone had a voice.

In public, in the chamber, Alex always chaired proceedings with calm authority and scrupulous fairness. That meant that, even in circumstances that could have been contentious—for example, when he used his casting vote to defeat a budget bill—all sides understood and respected the reasons for his decision, even if it might have taken the then Cabinet Secretary for Finance and Sustainable Growth some time to realise that he understood and respected the Presiding Officer's decision. The approach that Alex took was a major factor in the success of the third session of Parliament.

Alex also ensured that back benchers were given as much of a voice in proceedings as possible, and he was not afraid to put his foot down when that was needed. I am sure that I am not the only front bencher here today who can remember developing a strange sixth sense, if I had perhaps gone on a bit too long in my answer—which I rarely do, of course—that Alex was peering over his glasses at me, telling me to get on with it.

As Presiding Officer, Alex was always a fine ambassador for Scotland, as Ruth Davidson noted. For example, he played a very important role in supporting and strengthening the Parliament's relationship with the Malawi Parliament. In Alex's final speech in the chamber, he said that being Presiding Officer

"was a privilege and an honour that came close to that of serving the people first of the South of Scotland, then of Galloway and Upper Nithsdale, and latterly of Galloway and West Dumfries."—[*Official Report*, 16 March 2016; c 226.]

The order of priorities is telling; Alex's sense of duty to his constituents ran throughout his parliamentary career. In 2011, he became the first Presiding Officer to stand for re-election. The fact that he won the redrawn Galloway and West Dumfries constituency says so much about the effectiveness with which he served his constituents, and the affection and respect that he earned as a result.

Even after stepping down from Parliament, Alex continued to campaign on issues such as creating a new national park in the Galloway forest. Sir Alex Fergusson made a major contribution to Scotland as a whole, but there is no doubt that he was a particular champion of the south-west.

It is often said that political parties are like big extended families. That is certainly how I feel about my party. In that spirit, we all recognise that Scottish Conservative members have lost one of their most revered and respected family members. However, across the chamber, we have all lost a colleague and a friend who will be noted in future years as having played a pivotal role in the early period of the Scottish Parliament.

That said, no one will feel his loss more than his family. As we mourn Alex's passing and mark his many achievements, we also offer our condolences to Merryn, Iain, Dougal and Christopher and, of course, to his mother and brother, who have joined us today. I hope that the tributes that they hear today from across the chamber will give them not only some comfort, but a justifiable feeling of immense pride. [*Applause.*]

14:25

Richard Leonard (Central Scotland) (Lab): I rise on behalf of the Scottish Labour Party to pay tribute to Sir Alex Fergusson and to support the motion.

A son of the manse, Alex Fergusson made his mark in the first days of the Parliament by moving a motion to introduce a time for reflection. I went back to look at his inaugural speech in that debate, in which he said:

"I strongly believe that with the new Parliament we have a new beginning. I see no reason why we should not have a new all-embracing form of contemplative thought or prayer as part of our parliamentary procedure."—[*Official Report*, 18 May 1999; c 50.]

The Fergusson motion was duly passed by 69 votes to 37, with 15 abstentions.

Alex Fergusson began in Parliament as he meant to go on—making a great impression and a great difference. On 24 November in the first year of Parliament, on the Mound, in a debate on land reform, he began by declaring four interests. He said:

"I am a landowner, a landlord, a farmer and a member of the Scottish Landowners Federation."

Extraordinarily, he went on to agree with a young, radical extra-parliamentary land reformer called Andy Wightman, who had condemned the proposed legislation for not going far enough. In the same speech, Alex went on to disagree profoundly with one Roseanna Cunningham, whose assertion the year before in the House of Commons that what was needed was

"the ultimate ownership of land by and for the people of Scotland"—[*Official Report, House of Commons*, 29 April 1998; Vol 311, c 247.]

he lampooned. He said:

“That system was tried by the communists—look what happened to them.”—[*Official Report*, 24 November 1999; c 884, 886.]

I also read his final contribution in Parliament, which was in the stage 3 debate on the Land Reform (Scotland) Bill, which is now the Land Reform (Scotland) Act 2016. In that contribution, he said that he supported

“greater openness and transparency to land ownership.”—[*Official Report*, 16 March 2016; c 84.]

A few days after Alex Fergusson’s death, Colin Smyth and I visited the Mull of Galloway. It was a beautiful day, and we went to the Mull of Galloway experience. We climbed up the lighthouse, which has magnificent views of Ireland and the Isle of Man and back over the Rhins of Galloway. That land is now in community ownership, and that has brought with it a new energy and a new purpose. I could not help thinking that the fact that it had transferred to community ownership from state ownership—it was formerly owned by the Northern Lighthouse Board—would no doubt have pleased Alex.

Alex was a greatly respected member of the Scottish Parliament. That is demonstrated by the widespread support that he received when he put his name forward for the position of Presiding Officer. As others have said, he did not covet that position; he took it on out of a sense of public duty. When *Holyrood* magazine asked why he had wanted to become Presiding Officer, he replied:

“I didn’t! I had gone into the election in 2007 defending a majority of 99 against a strong SNP challenge. Having taken myself off ‘the list’ I was just relieved to be returned to parliament with a significantly increased majority—I had no thoughts of anything other than being the MSP for Galloway and Upper Nithsdale. So the role of Presiding Officer came and found me, not the other way round.”

In the same interview, he noted that he did not find it difficult to put to one side his party politics in taking up the role of Presiding Officer. In fact, he said:

“Not attending party conferences was, for me, one of the bonuses of the role!”

All the Labour MSPs—past and present—who I have asked say the same thing: he was good humoured, he was a gentleman and he was decent. If anyone was under fire from the media—which occasionally happens—he would offer words of encouragement and support. If he thought that a member had made a good speech, he would make a point of saying so. He was described by a former MSP as “collegiate”.

One member told me that, to some on the left of the Labour Party in those early days of the Parliament, the idea of joining a cross-party group founded by an old Etonian Tory was not an immediately obvious move to make, but as the new Parliament settled down that cross-party

approach gained in pre-eminence, and remains a feature of the Parliament today.

Since leaving Parliament in 2016, Alex Fergusson kept himself busy, including by being the president of the Scottish Campaign for National Parks. He was particularly excited to be involved in making Galloway Scotland’s next national park. A Galloway national park would be a fitting legacy to him.

Alex Fergusson’s retirement was too short lived. There was much more that he wanted to do and much more that he could have done, but his was a life well lived.

On behalf of the whole Scottish Labour Party, I extend our deepest condolences to his wife Merryn, his three sons Iain, Dougal and Christopher and their families, his mother Auriole, his sister Henrietta and his brother John. We thank them for sharing this gentle man with us. [*Applause.*]

14:31

Patrick Harvie (Glasgow) (Green): There have been a number of these occasions over the years, on which we gather together to discuss a motion of condolence for one of our colleagues who we have lost. They are always sad moments, but they are also moments of warmth. They certainly should be, because they recognise that, ultimately, at the end of the day, we are all human beings, and Alex Fergusson was someone whose humanity and warmth were always evident in how he did the job. Hostility and tribal point scoring were never his style.

There is also a particular meaning for us as we gather together to mark the death of a former Presiding Officer—it is the first time that that has happened—because the role of Presiding Officer is a particular service to the whole of Parliament. That service was probably enhanced in Alex Fergusson’s case because he had not craved the role.

Every session of Parliament has been different. We had the beginnings of devolution and a coalition, a rainbow Parliament, a minority Government, a majority single-party Government and now we have a session that is dominated by constitutional change. The challenges for the person in the Presiding Officer’s chair are different on every occasion. There are new dynamics and expectations. However, what remains the same is the requirement that one of our number sets aside their political commitments, makes a wider contribution to politics and provides a wider service to Parliament as a whole.

Alex Fergusson faced those challenges in the first minority Government session. It was the

make-up of that session that led to one of my most powerful memories of this place and a moment that I will never forget—I suspect that he never forgot it, either. The incident to which I am referring—others have already remarked on it—is perhaps the most dramatic moment handled by any Presiding Officer. It might be that, back in 2009, some had assumed that inter-party negotiations would all be stitched up in advance and that the debates in the chamber were mere performance, but when that year's budget votes were tied—it was a perfect draw—Alex Fergusson, who was sitting in the chair that you are in today, Presiding Officer, was forced to place the casting vote to strike down the budget and I saw several shades of colour drain from his face. That is a moment that neither of us would ever have forgotten.

I thank Alex Fergusson for his service to Parliament. More than anything, I hope that he forgave me for the palpitations that I caused him that day. On behalf of the Scottish Green Party, I give my deepest condolences to Alex Fergusson's family, friends and community. [*Applause.*]

14:34

Willie Rennie (North East Fife) (LD): Alex Fergusson was a Conservative, of that there is no doubt. He was a one-nation Conservative and a caring Conservative. He was a Conservative who really believed in devolution; on the Liberal Democrat benches, we saw a Conservative who was as close to federalism as it was possible to be, and we think that he was ahead of his time.

In 1999, Alex was, like most MSPs, new to front-line politics. As David Mundell endearingly described at the memorial service, the press release was a new phenomenon for Alex. However, Alex took well to political life. The cheerful discussions about the news in politics, the travails of a Government or the scrapes of a political friend were all part of what made him special.

Alex was a servant to his constituents. In the earlier sessions of the Parliament, first as a regional member and then as a constituency MSP, he put rural issues on the front page. He was a voice for farmers at the height of the tragedy that was foot and mouth disease. Few people in rural Scotland, especially in the south of the country, were not affected by foot and mouth. Alex pressed the then rural affairs minister, my colleague Ross Finnie, on measures that the Government had to take at that most difficult of times. He was a champion when farmers needed a champion.

As Presiding Officer, Alex was an ambassador not just for this Parliament but for Scotland. Whenever Alex led an overseas visit, Scotland

benefited from his immaculate manners, his personal skills and his sense of humour. Perhaps his fondest visit was the one when he led a delegation to New Zealand, returning to a country in which he had lived and worked.

While he was Presiding Officer, Alex stayed close to colleagues of all persuasions. He said that his time was all the richer for the deeper friendships that were built during those years. He was conscious that there was no majority in the 2007 to 2011 session of the Parliament, so there was all the more need to understand the mood of members—good, bad and indifferent. He was a force for stability in the Parliament at a time of great potential instability. He ensured that even when an Opposition member did not like what had happened, they might at least have a smile on their face.

Alex loved cricket. Who better than a former Presiding Officer to umpire the cricket match between MSPs and the press? Like all good umpires and Presiding Officers, he was not above making an observation on the quality of the MSP attack.

When Alex retired as Presiding Officer, he won his seat again. That was the first time that a Presiding Officer had done that, and it was no mean achievement after four years of having to be impartial.

In a world in which too many people take themselves all too seriously, a notable asset is a sense of humour—an ability to poke fun at colleagues and to laugh at one's own misfortunes and those of one's party. Alex had all that, and of the many reasons to mourn his passing, it is his sense of humour, above all, that we will miss.

Our thoughts are with Alex's family, to whom I say: he was one of us, but, much more than that, he was yours, and we were lucky to know him. Thank you. [*Applause.*]

The Presiding Officer: Thank you, colleagues. Before we move on to the next item of business, we will have a short pause.

Business Motion

14:40

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-14180, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a revised business programme for today and Thursday.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for:

(a) Tuesday 2 October 2018—

after

followed by Parliamentary Bureau Motions

insert

followed by Committee Announcements

and (b) Thursday 4 October 2018—

after

followed by Scottish Government Debate: Women and Girls in Sport Week

insert

followed by Scottish Government Motion: Scottish Fiscal Commission – Appointments—
[Graeme Dey]

Motion agreed to.

Topical Question Time

14:41

The Presiding Officer (Ken Macintosh): The Presiding Officers and I have been discussing this matter with business managers and others. We want to ensure that we respect all members when they are asking questions and we try not to interrupt. However, it is imperative that all members get to the point of their question and try to do so succinctly. Although they may say a few words beforehand, they may not develop an argument.

It would also be beneficial if ministers could answer succinctly, too, so that we get through all the questions. If we do not make progress, the members at the end of the queue for questions will be dropped, rather than the Presiding Officers cutting members off.

Scottish League Cup Semi-finals

Mike Rumbles (North East Scotland) (LD): To ask the Scottish Government what discussions it has had with ScotRail and Police Scotland regarding arrangements for the league cup semi-finals. (S5T-01252)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): Although the scheduling of matches is a matter for the football authorities, we recognise that there is anger, particularly among supporters who will be travelling from Aberdeen and Edinburgh.

The Scottish Government, Transport Scotland and ScotRail were not consulted ahead of the Scottish Professional Football League announcement, although we have discussed the issue with all key organisations, including ScotRail and Police Scotland.

We are actively engaging with all relevant partners to consider all key issues of concern. That dialogue will continue and I hope that the appropriate outcome will be reached.

Mike Rumbles: This should be a fantastic opportunity for families across the country to get to these showpieces of Scottish football, but fans and the clubs involved say that the planning has been botched. Families are thinking twice about going—they are concerned about the logistics of getting there and home again—while ScotRail says that the logistical challenges should not be underestimated.

Although we hope that people will act responsibly, there is real concern about the risk of 100,000 fans from four rival teams congregating in the same area on the same day and overnight. The Scottish Police Federation has described it as

“idiotic”. Does the minister agree that change is necessary and that the date should be moved, at least?

Joe FitzPatrick: The member makes a number of important points, many of which SPFL should have considered before making its decision. Police Scotland has significant expertise in successfully policing high-profile matches. Discussions are continuing, and I understand that Police Scotland has asked the SPFL to review its plans and has sought assurance about public safety. I know that that move will be welcomed by many fans.

Police Scotland will review any further information and discuss any issues with the SPFL. It is vital that public order and safety remain paramount in any decision.

I would also ask the SPFL to ensure that it considers the fans and the interests of Scottish football in any final decision.

Mike Rumbles: I do not recall ScotRail taking an event’s organisation to task so publicly before. It did not hold back. The SPFL is well aware, from previous events, of the logistical challenges that an early kick-off presents, particularly for Sunday morning services from Aberdeen. North-east fans have been given a thoroughly raw deal, because no train can get Aberdonians to Glasgow before kick-off. I thank the Aberdeen *Evening Express* for leading the campaign for a fair deal for fans.

Does the minister agree that event organisers have a responsibility to accommodate the needs of people from the whole of Scotland and not just those from the central belt? Has he considered what the Government can do to encourage such an approach in the future?

Joe FitzPatrick: The member makes a good point. As I said in my first answer, the SPFL had no dialogue with ScotRail before making its decision. I have asked the SPFL to ensure that, in the future, appropriate dialogue takes place with all the appropriate agencies before such decisions are made.

The Presiding Officer: We seem to have a huge amount of interest in the subject. Despite my appeal for brevity, I am not sure that we will get through everyone.

Lewis Macdonald (North East Scotland) (Lab): I was encouraged by the minister’s initial response that dialogue continues and that he hopes that an appropriate outcome will be forthcoming. He also mentioned a review by Police Scotland. Does the dialogue include the proposition from the Government that the SPFL should scrap its plan to have two semi-finals at the same venue on the same day, revisit the decision and do something that serves the interests of

football fans not just in the north-east but across Scotland?

Joe FitzPatrick: Decisions about when fixtures take place are ultimately for the SPFL, but it must take into account advice from Police Scotland, Transport Scotland and ScotRail. The SPFL needs to take account of the fans and to consider what is in Scottish football’s best interests.

Gordon MacDonald (Edinburgh Pentlands) (SNP): I have written to the SPFL about its lack of consideration for families, who will be expected to travel back to Edinburgh from Glasgow at 10 pm on a Sunday night—and the position could be worse if the game goes to extra time or penalties. Given the 7.45 pm kick-off time, does the minister share my concern that Hearts fans in my constituency will be lucky to get home by midnight?

Joe FitzPatrick: I am mindful of the time, so I say that I am sure that the SPFL is listening to everything that is being said. The member’s points are well made.

Jamie Greene (West Scotland) (Con): My questions are less for the SPFL and more for the minister. What discussions has the Government had with Transport Scotland and ScotRail to ensure that supply will meet demand on the day? What discussions have Police Scotland, the British Transport Police and the Government had to ensure adequate police numbers and an increased presence in the community to reassure any concerned residents or businesses?

Joe FitzPatrick: As I said, the Scottish Government continues to liaise with all key stakeholders.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): It has been pointed out that the first train from Aberdeen to Glasgow on Sunday 28 October will arrive 14 minutes after the 12 pm match starts. What levers can the Scottish Government use to remind the football authorities that they have a role to play in reducing carbon emissions and the number of car journeys; that they have a responsibility to ensure the health and safety of their fans as well as that of their players; and that, without fans, there would be no clubs and no television deals—the deals that seem to drive everything? I ask members to sign my motion if they have not done so and to support the *Evening Express* campaign.

Joe FitzPatrick: The member makes her points well and I am sure that the SPFL is listening.

Jeremy Balfour (Lothian) (Con): I had hoped to take my two girls to watch Hearts going into the final, but the change of time makes that impossible because of their age. Does the minister agree that, if we are trying to attract younger people to watch

and take part in football, the decision is a retrograde step? The SPFL should rethink the situation and move one game to a more appropriate time.

Joe FitzPatrick: To ensure that everyone can contribute, I say that the member makes good points, which I hope that the SPFL is listening to.

James Kelly (Glasgow) (Lab): The SPFL's decision, which was taken in secret and behind closed doors, treats supporters and the public with contempt. The simple solution is to move one game to the Monday evening or the following weekend. Will the Government use its good offices to co-ordinate support for an alternative date and urge the SPFL to reverse its disastrous decision?

Joe FitzPatrick: As I said earlier, the Government continues to engage with stakeholders. Police Scotland has specifically asked the SPFL to review its plans and to provide assurances about public safety. It will be for Police Scotland to review that information and discuss how to take it forward in the best interests of public safety, which has to be Police Scotland's primary focus. I return to my point, which many members in the chamber have made, that the SPFL has a responsibility to its fans and to Scottish football.

Gordon Lindhurst (Lothian) (Con): Bearing in mind that the fixtures are set for Halloween weekend—one of the busiest weekends of the year for the emergency services—which will mean that police and staff of other essential services will get hardly any time off, does the minister agree that efforts should be made to ensure that, where possible, those working in essential services get at least one day a week off from their work?

Joe FitzPatrick: I will make sure that the Cabinet Secretary for Justice is aware of that point.

James Dornan (Glasgow Cathcart) (SNP): Given that the SPFL did not even think to contact ScotRail or have discussions with any bus operators, and that the Scottish Police Federation is strongly opposed to the two games going ahead on the same day, does the minister agree that such disregard of football fans, public services and my constituents further highlights the need to improve the governance of Scottish football? Will the Scottish Government give some thought to how that could be achieved?

Joe FitzPatrick: James Dornan's passion for football and for the need to improve governance of the national game is well documented. Following my recent appointment, I held a formal meeting with the Scottish Football Association's chief executive Ian Maxwell and the SPFL's chief executive Neil Doncaster to discuss such issues. Governance can be strengthened and the voice of the supporter can be heard more loudly.

The Presiding Officer: I thank the minister and members for following up on my remarks. I did not expect to have such success so early on, and I am very pleased.

Social Security Charter

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a debate on motion S5M-14160, in the name of Shirley-Anne Somerville, on building a social security system together and co-designing the social security charter.

14:53

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): Last week, I stood before members in the chamber and outlined the great progress that has been made since the passage of the Scotland Act 2016, including on plans to reform disability assessments, successfully making Social Security Scotland's first payments and being in a position to deliver best start grants by Christmas, more than six months ahead of schedule.

Today, following the publication of our interim findings, I will set out in more detail our work to develop the social security charter, which is yet another example of how hard we are pushing to create a better system for the people of Scotland.

Any discussion of the charter should begin with the principles that it must reflect. Those principles—human rights, tackling poverty, respect and dignity—are the cornerstones on which our new system will be built.

The spirit of co-operation that led us to the statements of ambition that were set out in the Social Security (Scotland) Act 2018 ranks among the finest achievements of this Parliament. It speaks to our capacity to look past political difference and to work together on our most fundamental shared goal: to make things better for the people we serve.

Members on all sides of the chamber deserve credit for their role in that work: Adam Tomkins and Jeremy Balfour clarified its legal status; Alison Johnstone and George Adam helped to shape the principles; Mark Griffin strengthened the consultation requirements; and, thanks to Pauline McNeill, the charter requires parliamentary approval—a democratic seal that will ensure that our founding ideals for this public service can never be forgotten. They will recognise, as I do, that the work of the Government and Parliament is shaped by our responsibility to carry those ideals from the statute book to the everyday delivery of services in a way that will be meaningful in improving people's experiences.

That is the purpose of the social security charter. It will reflect the principles of the new social security system, explain in clear, concise terms what people are entitled to expect from the

new system and will describe specific actions that the system will take to ensure that those expectations are realised in practice.

During the bill process, the message from stakeholders and committee members was clear: that the people of Scotland should be at the heart of the charter's design. We have worked to give faithful effect to that remit, and the process that we have developed, with the guidance and broad support of stakeholders, builds on the strength of our existing engagement and substantially exceeds the consultation requirements that are set out in the act.

We have recruited a core group of 30 people from our experience panels to oversee the charter's development. That includes decisions on everything from the charter's structure and appearance and the language that it should contain through to the substance of what the principles should mean in practice and the policy commitments that will get us there. That work will be bolstered by individual interviews with people who are unable to travel to a central location and a survey of all experience panel members, ensuring that our engagement goes both deep and wide.

The process is an exemplar of a human rights approach in action. There are few, if any, parallel examples of Governments that have empowered citizens to jointly lead policy work of this prominence. To get it right, we will also need the support and expert advice of civic Scotland. That is why we have established a stakeholder group, which is composed of 27 organisations and chaired by Dr Sally Witcher, to provide feedback and advice to the core group. Its role will grow as this work progresses.

I have explained that the process goes well beyond what the act requires of us, but we have not rested on our laurels. As with anything new and innovative, there are lessons that we must learn. The core group is carefully balanced to reflect a broad range of needs, perspectives and characteristics—we received around 300 applications—but its initial composition did not include people from black and minority ethnic communities, so we have gone further. Working with stakeholders, we have run sessions to take in the perspectives of refugees, asylum seekers, people from black and minority ethnic communities and transgender people. Further plans are in place to run targeted sessions with people who are often especially marginalised: BME women, Gypsy Travellers and women who have experienced particular hardship and barriers. Because we have designed a model in which a core group of citizens is empowered to share decision making, it is imperative that the perspectives of young people and those from black and minority ethnic communities are represented on it, too. I am

pleased to announce that, due to this work, we have added representation from BME communities, young people and a wider range of lesbian, gay, bisexual and trans people to the core group.

I will turn now to the interim findings that we published last week. I had the pleasure of meeting the core group in Dundee on 23 August. They shared with me powerful experiences of adversity, stigmatisation and suffering at the hands of the United Kingdom system—I thank them for their time that day to tell their stories. The stories, sadly, will be all too familiar to many of us who have heard them in our constituency offices the length and breadth of Scotland. As one group member put it:

“For years I have had to fight them every step of the way. It’s like being Harry Potter trying to find the Philosopher’s Stone. But in this story you’re the villain and not the hero.”

However, the group members are not there to dwell on the failings of the past. They are there to build a better future for their fellow citizens, and the group’s thinking speaks to that optimism and creativity. They want staff who are patient and kind, who see them not as numbers on a screen but as individual people. They want staff who understand their circumstances and what they might feel like. That reflects a wider movement in Scottish public services and it is right that the new system should be a standard bearer for such an approach. The group see that being achieved by involving people who have lived experience in staff training. That is a powerful proposal that I intend to progress.

They want a system that is on their side and not against them. They want a system that is filled with people who are knowledgeable about social security and related services and who use that knowledge not to catch people out but to simplify processes, maximise incomes and direct them towards services that can help to tackle poverty and improve their wellbeing.

To achieve that, they have spoken about the necessity of recruiting staff who are well trained, well led and who share the values embodied in the principles. A staff member who cares, who is happy and who is equipped with the necessary skills is always more likely to deliver a better service.

They are clear about their status as people who are accessing a public service. They want to be active partners and to understand decisions, the reasons for them and how to challenge them if they disagree. They emphasise a culture of learning and improvement, in which feedback is valued, mistakes are acknowledged and processes are in place to ensure that things are done better in the future.

They reaffirm what most of us here already know: that the shameful regime of disability assessments requires root and branch reform.

The scope of their ideas extends beyond the operational to the systemic. They speak to the need to end stigma and to the restoration of social security as a public good and a service that is there for us all should we need it and that is a source of national pride because of that. That reflects the principle that social security is an investment in our people.

That, of course, was the original intention of the Beveridge report. Many of us here today will agree that we seem to have lost something precious along the way. The group’s proposed solution is for Government to lead work to publicly challenge stigma and the false, divisive and hurtful political rhetoric that causes it. I can confirm that we are committed to giving careful thought to how all the proposals can be delivered.

The picture that emerges from the findings is of a potential charter that is rich in ambition and that truly fulfils the human rights aspect of social security that was held so dear during the passage of the Social Security (Scotland) Act 2018. That underscores once again the point that how we administrate social security is not just a matter of policy detail; it is a moral issue that speaks to the character of our country and the type of country that we want to live in. Our principles, and how we give effect to them, matter to people’s lives.

Reflecting on my early weeks in my role and all the people that I have spoken to during that time, I keep on returning to the word “trust”. It is clear that one of our shared successes is that through the act, the principles, the charter, the introduction of new forms of assistance and the commitment to reform assessments, the people of Scotland are beginning to put their faith in us that the new system really will be different. The trust of the people they serve is the single most precious commodity that an elected Government and Parliament can have. It is hard won yet so easily lost. I wish, therefore, to place on the record my personal commitment to honouring that trust with action, and showing through the evidence of what we do that this Government means what it says.

There is, of course, also a role for Parliament in that. It is clear that we all believe in the charter, and it is my sincere hope that we can continue in the spirit of collaboration to support the work of the people who know the system best and to whom it ultimately belongs—the people of Scotland.

I close by thanking everyone, particularly our core group from the experience panels, who have helped so much and gone so far in delivering our interim findings. I look forward to their further work

and to delivering a charter that the Parliament and the country can be proud of.

I move,

That the Parliament recognises the progress made in working with Experience Panels and others to develop Scotland's Social Security Charter; agrees with the human rights approach being taken to empower citizens to jointly lead this work; endorses the published findings of those with lived experience supporting work on the charter; agrees that the process of consultation and co-design will help build trust in this new public service, and notes the Scottish Government's ongoing commitment to work with the Parliament and people of Scotland to deliver a social security system that lives up to the principles, agreed unanimously by the Parliament, in Section 1 of the Social Security (Scotland) Act 2018.

15:04

Jeremy Balfour (Lothian) (Con): I welcome the debate and the journey that the Government and the Parliament have been on over the past two years with regard to social security.

The fundamental question is: why have a charter? For me, the reason for having a charter is to improve the experience of those who use the social security system. We want everybody who comes in contact with the new Scottish agency to have a positive experience, even if they do not ultimately get what they want out of it. That is what we as a Parliament and, I suggest, the Scottish Government need to strive for.

What is the role of the charter? The danger—which the Social Security Committee recognised early on—was that the charter would simply be a bunch of words on a notice board that everybody would ignore. Part of the reason for the journey that the committee and the Scottish Government have been on is to show that the charter has to be far more than that. It cannot simply be words—even simple words—on a board; it has to be something that people understand and can respect and act on.

The charter is there so that staff can understand what their responsibility is to claimants; it is there so that claimants can understand what they should expect of the new agency; and it is there so that third parties, including this Parliament, can hold the new agency to account. However, it is important to stress that the charter does not give individual rights to claimants. It is there so that the agency can be held accountable by the Scottish Government and by the Parliament. We have to make sure that a balance is struck between individual rights and community rights, which are sometimes held in tension.

It is important that stakeholders, individuals, third parties and the Parliament get an early view of the charter. It would be interesting to know whether the Government has a date yet for when

the charter will be available for open scrutiny. Steps have been taken towards that, but we need a full account.

We need to know how the charter is being drawn up and who is involved in the process. I welcome the cabinet secretary's announcement on the expansion of the membership of the important core group because some groups and people contacted me with concerns that perhaps the core group did not represent the whole of Scottish society. It would also be interesting to know how the experience panels are working in practice. Is the core group co-designing the system and the document, or does the Scottish Government go in with a piece of paper and say, "Like it or leave it"? How open is the Government to changes to the social security charter and to comments on it?

We have to make sure that there is gender balance and ethnic minority representation—I welcome the cabinet secretary's remarks on that. Perhaps most important, disabled people need to be represented on the core group. That may seem very obvious—no doubt, the cabinet secretary wants to jump up and say that we already have that representation. However, our amendment seeks to expand the groups that the Government is consulting—perhaps to include groups that are seldom heard from, not the obvious suspects we all go to regularly; perhaps to include those who have disabilities that fall into a minority group within disability, who again are not often heard from; and perhaps—I say gently to the Government—to include people who have had a positive experience with the Department for Work and Pensions. The danger is that people only come to MSPs if they have a negative experience. However, there are people who have had a positive experience of interaction—I include myself among them—and we do not want to lose that voice in our engagement. We have to ensure that those with seen and unseen disabilities are included in the core group and in the drawing-up of the social security charter.

Ultimately, we must keep the goal of having the Social Security (Scotland) Act 2018 fully implemented and up and running before this session of Parliament comes to an end in 2021. As one ancient philosopher said, every journey has an end. There is a slight danger that we keep going over and over things and do not get to the goal of delivering the social security system that we all want. I therefore ask the cabinet secretary to confirm again in her summing up that every benefit that has been devolved will be delivered and up and running by 2021; will she confirm that the benefits will be delivered by the new agency and that people will know how it all works?

I hope that the Parliament will have time to consider fully the regulations as they come forward. I welcome the Government's openness so far in that regard, and I look forward to the cabinet secretary being with the committee on Thursday morning. Undoubtedly, the most complicated and difficult regulations will be those that introduce the replacements for personal independence payments, disability living allowance and attendance allowance. Can the cabinet secretary tell the Parliament when the draft regulations on those benefits will be released?

The Conservative Party welcomes the debate and the social security charter, but we will hold the Government to account to ensure that it delivers not simply words but actions.

I move amendment S5M-14160.1, to insert after "public service":

" , but should also consider how it might enable any other individual or organisation with an interest to be consulted as part of any scrutiny of the draft charter".

15:12

Mark Griffin (Central Scotland) (Lab): I welcome the cabinet secretary's comments but, primarily, I want to thank everyone who has been involved in the experience panels so far. Each of them, along with their 2,500 or so colleagues, has a big task to ensure that dignity, fairness and respect come to life in our new social security system.

We will support the Government's motion and we are pleased that the charter is becoming a reality. Just like last week's restating of the commitment to ban the private sector from carrying out assessments, the involvement of Scotland's people in the design of the charter is a critical step in delivering the law that the Parliament agreed to in the spring. Co-design will be hugely valuable to the social security system. Put simply, it is about working with people on social security and not simply dictating a system to them.

We have seen the horrors that the Tory overhaul of disability benefits has led to. Disabled Scots will lose £190 million through the PIP, and hundreds of thousands are gaining entitlement only through court rulings instead of a fair process. Since the most recent Holyrood elections, 50,000 people have already had to suffer a second PIP assessment as a result of the revolving door of reviews. We all know that that needs to change, but it is for those who use social security to say what they want to change. When the charter is approved this November, which will be almost 18 months since the experience panels were first launched, members will be able to point to the

tangible difference that underlines our new human rights-based system.

As well as celebrating the role that the people of Scotland will have in the new system, the debate serves as a reminder of the improvements to the 2018 act that the third sector and its members and service users secured. Through their campaigning, they secured rights to advocacy, to accessible information and to get hold of assessment reports. Those hard-won improvements make the system more theirs—one that has been built with them and not for them.

As the cabinet secretary said, the Parliament will give final approval to the charter. That provision is the result of an amendment that was pursued by the third sector and lodged by my colleague Pauline McNeill.

For me, two changes stand out. First, because of the give me five campaign, child benefit recipients must be consulted on the charter. The second change concerns work that I did with Engender, the Coalition for Racial Equality and Rights and Scottish Women's Aid to ensure that the Government consults organisations that work with those at risk of poverty because of their protected characteristic.

The scale of ambition behind the experience panels is commendable, and we will support the Government's motion today. As our amendment says,

"meaningful co-production should be an exemplar"

that informs how public services are reformed in future.

However, Friday's report identifies quite clearly an issue that I became aware of over the summer, which is that not one black or minority ethnic person was directly recruited to work on the core group. Today, the cabinet secretary mentioned that a focus group of BME individuals is being set up, but it is a concern that that has taken place only now. We know that BME individuals are less likely to access their entitlements and that they face barriers during the assessment process. When hard-to-reach groups are asked for their participation and involvement only at the last minute, we all lose out. They miss their initial chance to have a say, while local organisations are stretched to get someone into place quickly; and Government lacks the group's views from the very start, which undermines its commitment to equality and the work that it has done so far. As a result, sometimes things get missed.

Page 14 of the report says:

"The stakeholder organisations also added some meanings to the list described above that the core group hadn't mentioned, for example around the importance of equality and non-discrimination."

It is good that those meanings have been added, but that highlights what we can miss if we are not all-encompassing in our approach and do not ensure that we cover everyone who has been disadvantaged by the current system.

As our amendment states, the panels are part of “an open, ongoing process, in which people who are entitled to social security are encouraged to enrol and participate”.

The cabinet secretary spoke about the 300 people who had responded to the recruitment exercise, but none of those was BME. We have to ask ourselves why that is and determine how underrepresented BME groups are in the experience panels. The cabinet secretary told me that the report on protected characteristics will be published in November; I encourage her to publish the details before recess.

With all members of the core group being surveyed on the charter this autumn, I hope that the cabinet secretary will agree that more members should be recruited before that survey goes out so that we can get their views. Welcoming new recruits to the panels, along with more open and publicly available means of consultation, would be of great value to the process and might help to overcome some of the representation issues that I have spoken about today.

When the time comes to consider the replacement of PIP and carers allowance, and the rules and criteria for and rates of benefits, the people of Scotland will once again have the chance to deliver a social security system that is founded on dignity, fairness and respect.

I move amendment S5M-14160.2, to leave out from “agrees that the process” to “public service” and insert:

“considers that this consultation is an open, ongoing process, in which people who are entitled to social security are encouraged to enrol and participate; agrees that the process of consultation and co-design will help build trust in this new public service; believes that meaningful co-production should be an exemplar that informs future Scottish public service design”.

15:18

Patrick Harvie (Glasgow) (Green): There are, of course, a great many things that are deeply wrong with the UK’s current social security system. The real-terms value of many benefits has been allowed to fall over time and no longer allows many people to meet a basic minimum standard of living—even to the extent that people cannot feed themselves. Just last week, the Scottish health survey revealed that 4 per cent of people who were surveyed had run out of food in the past

year. The system of benefit sanctions leaves people destitute.

Further, with the benefit cap, the UK Government says to claimants that they need a certain level of benefit but pays them much less, on an entirely arbitrary basis, sometimes to the tune of £2,500 less. As a result, as the motion notes, trust and faith in the social security system have broken down.

How did we get here? In part, it is because so many welfare reforms have been drawn up by small groups of policy makers who have been working to a narrow cost-saving agenda, with views that are based on a crude caricature of the social security system and its users, and with no concept of what it is like to raise a child on a small and fluctuating income, for instance.

All that experience is out there to be used to make better policy, but the DWP has rarely taken much interest in it. From the on-going farce that is universal credit to the brutality of denying personal independence payments to tens of thousands of people, almost all the major problems in current welfare reforms could have been foreseen—just not by the UK Government. It was warned by multiple welfare rights organisations about the impact on rent arrears of having such long universal credit waiting periods.

Disabled people’s groups said that the PIP criteria did not reflect the reality of living with certain types of disabilities and health conditions, and that many people would lose out. Unfortunately, all those warnings have proved to be all too prescient. That is why the approach that the Scottish Government is taking, and which is set out in the motion, is timely and welcome.

It is important that we capture the lived experience of applying for and receiving—or sometimes not receiving—social security. In relation to disability benefits, there is the stress of going to PIP assessments—which can sometimes be held huge distances from claimants’ homes—the invasiveness of some of the questions that are asked and the bewildering complexity of the process. All those things are too often the experience of people when they ask for support to help them with the extra costs arising from their disabilities or health conditions. Their experiences should be brought to bear on how our new devolved social security system operates.

I am pleased to say that that is already happening. The experience panels have drawn more attention to the often highly stressful and sometimes damaging experience of having to go an assessment. One panel member said:

“The face-to-face assessment for PIP was honestly one of the most traumatic experiences of my adult life.”

The report “Social Security Experience Panels: About Your Benefits and You—Qualitative Research Findings” stated that assessments

“should only be carried out when necessary, and that evidence provided by medical professionals should be enough.”

That was the basis for a Green amendment—which I am pleased to say was supported unanimously by Parliament—that introduced a ban on face-to-face assessments if evidence can be found through other means. Another Green amendment, based on what PIP claimants said in the experience panels and elsewhere, ensures that the distance that a person has to travel for an assessment when that has proved to be necessary is taken into account.

I was particularly encouraged to hear all that being outlined by the cabinet secretary last week in her statement on disability assessments. The proposals on conducting only absolutely necessary face-to-face assessments, on audio recording of assessments to rebuild trust, and on giving people flexibility in choosing their assessment appointments were all set out. If it is implemented to its fullest extent—which, of course, remains to be seen—what was outlined could be a significant change to the disability benefits system and to people’s experience of it.

I am pleased that my colleague Alison Johnstone has played a constructive role in putting some of the measures into law, but ultimately such improvements are the work of the thousands of individual claimants who have spoken out about their treatment and their experiences. I am glad that their voices are now being heard.

We also need to think through some of the implications of what the motion says about how the system will be established. As I have noted, people’s lived experience has been used well to shape the founding legislation. However, that was the easy bit: none of the major benefits has yet been established. As that work proceeds, the people and organisations with whom the Scottish Government is co-designing the system will continue to call for changes that will not be cheap or easy, including benefit top-ups to reverse the benefit cap and the on-going freeze on the value of payments.

People with experience of PIP are likely to ask for a reversal of the staggering cuts to that benefit. Undervalued carers—especially those who care for more than one person, for example—may ask for that extra care to be recognised through the carers allowance. At that point, the response cannot simply be that such requests are unrealistic. As well as being untrue—because we have paid benefits at adequate rates before, and can do so again—that would not be in keeping with a truly co-designed system.

I am glad that we are moving away from the problematic term “welfare” and reclaiming the language of social security. The system should indeed be “social”: it is a sign and signal of our duty, compassion and respect for one another. That is why, as the motion rightly suggests, we need to build it together.

The Greens will support the motion and both amendments.

15:25

Alex Cole-Hamilton (Edinburgh Western) (LD): The Liberal Democrats welcome the debate, just as we welcome the next frontier of an agenda that has been driven, through consensus, by the Scottish Government.

At the top of her remarks, the cabinet secretary referred to principles; principles really matter. I am gratified that, in the same breath, she referenced William Beveridge, whom I often quote when we discuss social security in the Parliament. Patrick Harvie was right: provision of “social security” is a far better aspiration than the provision of “welfare” by the welfare state. Beveridge said that, in establishing a national minimum, the state

“should leave room and encouragement for voluntary action by each individual to provide more than the minimum for himself and his family.”

I absolutely agree with that. That quotation, which is about social mobility and dignity, is one of the many reasons why I am a Liberal.

However, it is fair to say that we have, at UK level, come significantly adrift from establishment of that national minimum. Therefore, I very much welcome the opportunity that Parliament has to create a Scottish social security system, and I am gratified that it is to be underpinned by the social security charter. Who better to define the terms and parameters of the system than the people who have lived under the failures of previous systems? In its nomenclature, the charter defines itself as being rights based. The development of the charter is about giving people ownership and understanding of what to expect, what rights they can rely on and what action they can take if their rights are infringed.

As we heard in last week’s statement, that lived experience is already shaping the new system, in respect of the conduct of disability assessments. I am sure that every member will know a constituent who has suffered the indignity of the assessments of the past. I welcome the flexibility that has been created and the comfort that can be extended to claimants through the recording of assessments, which they will be able to lean on should they have grounds for appeal. Rightly, some people will be removed altogether from the need for a face-to-face assessment.

As Lib Dems, we whole-heartedly support—as we did last week—the fundamental workings of the new structures that are being built and the fact that their development will be underpinned by the experience panels. It is important that in the conduct of their business, the experience panels work with stakeholders to identify unintended consequences.

The flexibility conundrum is important: it is vital that we do all the things that the cabinet secretary outlined in last week's statement to make the assessments less intrusive and easier, and to ensure that they are built around the needs of the individuals whom they seek to serve. That brings with it the probability of time delays unless we significantly increase the head count of people who are commissioned to conduct assessments. I am not saying that we should not be flexible, but we should be alive to that concern, so I would be grateful if the Cabinet Secretary for Social Security and Older People could address the matter when she closes the debate.

We must ensure that we do not overpromise but then underdeliver, because there are many examples of public policies that have been established on the basis of principles that are similar to those that we seek to foster in the charter, but which—sadly—have let down the people whom they sought to serve.

I think that we can all agree on the tenets that we hope will come forward as the charter is developed. I hope that the cabinet secretary and her Government are reflecting on the views of the stakeholder organisations that would like to influence the process. There is a great deal of expertise there, not least among people who have lived experience of going through previous systems, who tend to rely on organisations that provide advocacy and which gather information and research. That experience should be used for betterment of the project that lies ahead.

For me and for the Lib Dems, we can distil that down into three basic principles. We should foster the cradle-to-grave safety net that Beveridge first envisioned, which will allow people to be socially mobile but protected at times of crisis and need.

The charter should not be driven by monetary considerations alone. In times of austerity, it is often all too easy for Governments of all hues to look at the bottom line first and foremost and to design a welfare state or a social security system around that.

Most important is that the charter needs to manage expectations. People should have faith and confidence in a system that does not put in their way artificial barriers to the assistance that they need and deserve. The system should be seen to be fair, and people should have swift

access to reliable information. Should a decision go against someone, they should know the route to take in order to overturn it, and they should have the confidence that they will receive a fair hearing.

If we can work with stakeholders to foster a charter that captures those three fundamental principles, the Parliament and the Scottish Government will have gone some way towards answering the challenge that Beveridge set in his earliest vision. Liberal Democrat members will support the Government's motion and the amendments from the Opposition parties. I welcome the continued consensus with which we are moving forward together.

15:31

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I am convener of the Social Security Committee in the Scottish Parliament. I succeeded Clare Adamson MSP in that role, and I pay tribute to her work as convener and to the work of the committee. I know that there have been a number of changes in recent weeks.

Yesterday, our committee visited Dundee. We visited, and had important meetings with, the DWP's Jobcentre Plus and Scotland's new social security agency. However, our most important visits were our meetings with those who have lived experience of the benefits system and with volunteers who offer support to them. Some of the stories that we heard, which set out the way in which the UK benefits system handles claims, were quite disturbing. Unfortunately, they served only to cement many of the experiences that I have heard about through my constituency casework with those who need to interact with the UK social security system and with universal credit, in particular.

I want to highlight a few of the issues with the UK system and contrast those with what we are seeking to do here in Scotland. At the heart of the debate is how we can get the Scottish system right at the first time of asking. We can get it right by listening to those who have lived experience of the social security system and by having them, where possible, co-producing that system.

I do not believe that anyone with lived experience of the UK system and the roll-out of universal credit would support a system that forces claimants to wait at least five weeks—as is the case under universal credit—to get recourse to public funds and instead to be reliant on DWP loans. That is causing real hardship, pain and indebtedness.

No one with lived experience would require a family to have to reapply for the housing element of universal credit to go directly to their landlord,

simply because they moved house. That has caused my constituents' rent arrears to accrue, and it has threatened tenancies.

No one with lived experience would put at risk the child tax credits to working families under universal credit by putting conditionality on workers—that being code for possible sanctions—if a member of that family cannot secure a wage rise, a different job or an increase in their hours of work. That is what might happen when Jobcentre Plus moves away from what is currently being called a light-touch system.

I do not believe that those things—and many others—would have happened had the lived experience of those who interact with the UK system been truly listened to when the new UK system was being designed. We are now trying to retrofit and fix some of those weaknesses. I hope to do that constructively with our partners in the UK Government and with everybody else, because we need to fix those weaknesses.

By developing Scotland's social security system with that lived experience, we are doing all that we can to build in the key principles of fairness, dignity and respect. Crucially, by looking to co-design the Scottish system in partnership with those with lived experience of the social security system, we hope to avoid the issues that have beset the UK system. It is in that context that I warmly welcome the progress that has been made so far in developing the social security charter in conjunction with experience panels.

The Social Security (Scotland) Act 2018 rightly requires that the first group of people to be consulted on preparing the charter are those with a physical or mental condition who have experience of the benefits that are being devolved. I very much welcome the format of the consultation, which is taking a layered approach that includes a core group of volunteers for in-depth work; individual sessions with people or groups who do not wish to, or are unable to, be part of the core group; and a survey of the 2,400 people who are registered with the social security experience panels and who have a wealth of experience. Such a layered and nuanced approach is the right way to progress the charter.

I also welcome the firm commitment in the social security charter, and in the system itself, to entrench a human rights-based approach to treating claimants and clients, in which people have a right to financial support in times of need rather than being seen as receiving a handout. I believe that if we get the charter right, terminology such as "handout" will be consigned to the dustbin of history for good, because that is the right thing to do.

The social security charter is vital as it will draw together what we as a society wish our social security system to deliver for clients, staff and society. Due to time constraints, I will not say as much about that as I would like to, but I will highlight a section of the recent update document from the Scottish Government; it refers to the context of culture in preparing the charter, which is incredibly important in designing the system.

When our committee visited the new social security agency, I heard some strong reassurances. We met the chief executive, David Wallace, and a number of other staff, who are all trying to embed that positive attitude in their organisation, including through recruitment. They currently have about 90 staff, which will go up to 750 staff. In the sifting process for interviews, anyone who did not make the initial cut was given detailed feedback on why that was the case, and offered support if they wished to reapply when other jobs came on stream. Those who tried to apply for a job online but did not complete the form were identified and written to. The agency said, "We notice that you showed an interest in applying for these jobs but you did not complete the form—was there a barrier there that we can work with you to address?" Culture is everything.

I will highlight a final part of the culture that the new social security agency is trying to put in place. We saw a series of post-it notes on the wall that related to the new carer supplement that the agency is now delivering. They were really positive—I will read out two of them. One person told an adviser, "Ya dancer!" when they found out that they had a supplement; a second person said, "Whoopee-do!" We will not always get it right, but we are getting it right at the start of the process by listening to the people who have lived experience of the social security system.

15:37

Jamie Halcro Johnston (Highlands and Islands) (Con): There have been some positive contributions from members on all sides of the chamber and some good discussions about the feedback from the first steps of the co-design process. However, I would like to reflect not simply on the intentions of the charter, but on what can be done to make it useful.

The Scottish Government noted last year that a charter was a popular idea; the same was true of the citizen's charter initiative that John Major introduced back in the early 1990s. However, the risk with such documents is that they can potentially slip simply into the aspirational and that they bear little relation to the services that are actually being delivered. In its September 2017 position paper, the Government noted that one of

the main proposed areas in which a charter could have value is in translating

“the core principles from high level statements into commitments to deliver specific, measurable outcomes, establishing a strong link between the principles and the way that the system actually performs.”

Ministers will not find a great deal of dispute there, but we are left with a considerable number of commitments and expectations that ministers have crafted. It would be very useful to know both the detail of how they will be measured and the Scottish Government’s approach.

I will give an example. The Cabinet Secretary for Social Security and Older People, in her statement and in answer to questions last week, pledged action on geographical inequalities; the outcome of assessments; reducing assessment waiting periods; reducing the appeals case load; and reducing staff turnover among assessors. She also pledged a presumably significant reduction in face-to-face assessments.

However, as the Parliament will expect those promises to be matched with action, the action must equally be met with measurable, quantitative data. I refer to the policy paper that the Scottish Government published last year. It said:

“The Scottish Government has noted the concern that it may be difficult to demonstrate progress against relatively subjective concepts such as ‘dignity’ and ‘respect’. The Scottish Government is therefore thinking carefully about how it might employ techniques of a more qualitative nature such as survey data, feedback from individuals, focus groups or an on-going role for Experience Panels.”

The Scottish Government’s approach to that will be all-important—I have previously touched on that. I hope that, with high political expectations, ministers will avoid the temptation to fudge the measures of their performance. If they intend to carry the Scottish Parliament with their proposals, that must be matched with a candid assessment of the execution of their new powers and where they have fallen short of expectations.

In the cabinet secretary’s statement last week, she mentioned the regular independent reviews that have taken place at the UK level of PIP assessment programmes. Although she characterised that as simply “tinkering around the edges” by the DWP, both the PIP and the employment and support allowance independent assessments have been a valuable tool for improvement. With that in mind, I would be interested to know what analysis ministers have done of those independent assessments and how the lessons from that process could be reflected in measuring objectives against the standards that are to be included in the charter. Will they subject themselves to the same level of scrutiny that the DWP has in the past?

As my party’s spokesman on jobs and employability, I want to reflect on a particular element that should be central to a number of the principles that are set out in the Social Security (Scotland) Act 2018: the ability to transition people who are out of work into meaningful employment and to overcome the barriers that they face. A key power to influence that is the devolution of the employability services. Again, measurable data will be important, as will lessons from different providers in different parts of the country, in creating a transparent process by which they can share best practice.

Perhaps there is a contradiction between the cabinet secretary’s language last week against outsourced providers for having assessments that are driven by profit alone and the use of such providers to support people into work. I gently suggest that those organisations are either valued partners or they are not, and that the message that is sent by the words that we use in the chamber should be considered.

The objectives of dignity and fairness in the social security system certainly extend to providing a service to individual claimants and value to the taxpayer. Both points are enshrined in the Social Security (Scotland) Act 2018. One element of fairness is the consistency of approach. The cabinet secretary has criticised the “rigid inflexibility” in assessment procedures. However, basing entitlement on consistent and objective criteria is critical to ensuring that any system is fair. Personalised assessment and objective assessment are not contradictory.

I refer to the issue of geographical inequality. I am a representative of the Highlands and Islands region, which contains many of Scotland’s remote, rural and island communities. There are a number of challenges for a social security system in operating as effectively in those areas as it does elsewhere, and in ensuring that it takes into account the needs of individuals in those areas.

The cabinet secretary said:

“No matter where people live, Scotland’s social security system must deliver and must give people access to the same quality of service.—[*Official Report*, 26 September 2018; c 42.]

I would like that to be included in the social security charter and the Scottish Government to consider how the charter will be impacted by the principles of the Islands (Scotland) Act 2018. It will also be important that information is available at a suitably localised level for us to see where inequity of access or outcomes exists and for action to be taken to address that.

There is still a considerable body of work to be taken forward in those areas. However, I welcome the work on the co-design of the charter as well as

the wider work that is being taken forward by ministers and the Scottish Parliament's Social Security Committee.

I cannot overstate the importance of getting it right in this transitional period and laying the foundations for a system of support that works for everyone.

15:43

Clare Adamson (Motherwell and Wishaw) (SNP): I think that most of us in the chamber were here when the Rev Ian MacDonald spoke to us about vision. On a very reflective afternoon, I have reflected on how vision has affected our debate. That word sums up where we are now with the Social Security (Scotland) Act 2018 and how we are taking forward provisions in it. It was visionary of the Government to approach the Social Security (Scotland) Bill in the way that it did, and it was visionary of the Social Security Committee to conduct the deliberations and the scrutiny of the bill in the way that it did. It was a privilege for me to convene that committee following Sandra White's groundwork.

I thank all the committee members and others for their contributions to improving a bill that, I think, all of us are rightly proud of, and that applies most of all to the minister, Jeane Freeman. On the day that we passed the bill, it was evident across the chamber that we had done something different in our approach to the new security system for Scotland. However, on that day, none of us thought that the job was complete and we knew that the majority of the work related to the legislation was still to be done. The cabinet secretary mentioned trust in her speech. To my mind, the measurement of success is whether our citizens' trust is restored in a social security system in Scotland.

Much has been said about the experience panels, which played an important part in the development of the bill. They provided opportunities to gather information and were very successful in informing the committee and the Government about the process. I was delighted to hear from the cabinet secretary that the Government is surveying the findings of the experience panels as the charter is developed, to ensure that it is a genuine co-production.

The Government's vision for a social security charter is unique. As has been mentioned, it is thanks to the work of Pauline McNeill that the charter will be scrutinised by Parliament. That will ensure that the principles and the rights of our citizens are respected and that we get it right in Scotland.

Much has been said about the human rights-based approach, which is so important for the

system. I think that the cabinet secretary said that it was unparalleled to have a human rights-based approach in a piece of legislation and in a social security system. That reflects the Government's vision for the future. Indeed, the programme for government includes plans for

"enshrining children's rights by incorporating the principles of the UN Convention on the Rights of the Child into law".

That vision for the society that we want and how we want Scotland to view human rights for our adult and child populations is very important and speaks to the vision of what we have before us.

A human rights-based approach is also about empowering our citizens. That is important, because we hear so many stories of people who feel disengaged from society and the process that they have had to go through in the current DWP programme. Empowering our citizens to be active in the decisions that affect them, active in creating laws and active in influencing something that will play a part in their lives is hugely important.

A lot has been said about lived experience. There is an old proverb that says that a person does not really understand someone until they have walked a mile in their shoes. Like many members here, I have been humbled to realise, through my constituency experience, that I have barely walked a step in the shoes of the people who have come to me at the most difficult time in their lives, when they have faced problems because of sanctions, PIP assessments, or the stress of navigating the system or having to take loans from the DWP or from the local authority just to get by and be able to sustain and feed their families. That lived experience, although we might not have it ourselves, has been vital for us to understand the pressures that people are under.

I am truly hopeful that the principles on which we all agree—dignity and respect have been spoken about—will be included in the new system and reflected in the charter to ensure the rights of our citizens.

Mr Halcro Johnston talked a lot about quantitative information and how important that is. That is all very well, but we have to listen when things go wrong. At the moment, 50 per cent of appeals are successful. To my mind, that is a broken system. It is all very well having the statistics and the information to back things up, but we have to listen when we are being shown and told that things are not going well for our citizens.

15:50

Pauline McNeill (Glasgow) (Lab): Like other members, I am proud to have been part of the process of co-designing Scotland's new social security system, which is a powerful feature of our

devolved settlement and I think will change the lives of many people.

We all played a part—Scottish Government officials; the Social Security Committee, convened by Sandra White and then by Clare Adamson, who played a key role; and many third sector organisations, of which I will mention just a few: Child Poverty Action Group, Scottish Association for Mental Health, Justice Scotland, Health and Social Care Alliance Scotland, Marie Curie and Engender.

We are in a reasonably good place. As Bob Doris, the current Social Security Committee convener, said, our visit to Dundee yesterday was a historic occasion, because we witnessed the beginnings of our new social security agency. It is good for the cities of Dundee and Glasgow and the local authorities around them that the agency will bring hundreds of jobs and a new way of working.

It is a human right to have an approach to social security that is based on dignity and respect. The charter will be meaningful, because it will be subject to regulations that will have parliamentary scrutiny and approval. Most important, it will be publicly available, so that people will be able to see—set out, I hope, in plain English—their rights and how they can enforce them.

Citizens Advice Scotland said that the charter's purpose is

“to empower those using it to challenge substandard service and seek redress”.

That is certainly a core principle for me.

The charter will set out what people are entitled to expect from Scotland's social security system. Ministers will be required to ensure that independent advice is given, and the charter may be taken into account for the purpose of court proceedings, as a result of an amendment to the Social Security (Scotland) Bill that was lodged by Adam Tomkins, who was a member of the Social Security Committee at the time. That is an important legal point.

There is unfinished business, as I think that all members agree. For the record, and for the benefit of the new minister, I want to mention a couple of issues that I have been pursuing and on which I think more work needs to be done, in the context of the Social Security (Scotland) Act 2018.

Section 53, “Duty to inform about possible eligibility”, provides that an individual must be informed about potential eligibility for other benefits

“if, in the course of their making a determination of an individual's entitlement to assistance, it appears to the Scottish Ministers that the individual may be eligible for other assistance.”

That provision should be made clear in the charter, because it is an important principle. It does not confer automatic entitlement but it places a duty on the Scottish ministers to ensure that they maximise opportunities for people to get the benefits to which they are entitled.

SAMH wants the charter to contain a commitment on the promotion of wellbeing. That is a critical principle of our social security system, and I support SAMH's call.

Age Scotland wants to ensure that the charter is dementia friendly, through consultation with carers and families. I know that such consultation is under way. Age Scotland also says that the system should not be digital by default. We heard yesterday in Dundee that it will not be. That is an important and progressive point, on which the Government has made a commitment.

It is fair to say that, as a result of the work that has been done by all the people who have been mentioned, Scotland's social security system looks vastly different from that of the UK. I am very happy about that.

CPAG, among others, has expressed concern about the redetermination process and the appeal system. There is evidence that, in the current system, a high proportion of people drop their claims and do not appeal unfavourable decisions. A series of Government amendments to the Social Security (Scotland) Bill, including one that provided that after a determination the paperwork would go directly to the First-tier Tribunal, made important steps in the right direction. The Government rejected amendments that I lodged, but in doing so it agreed to my request that it monitor the drop-out rate from appeals, to ensure that people are not dropping out because of the complexity of the system or a lack of advocacy.

I consistently called for the Government to ensure that there is training for the judiciary in our new social security system. I think that there should be new appointments to the tribunal system, to mark its importance. If we are changing the culture of our social security system and expecting decision making to change accordingly, the judiciary is the missing link; we need a judiciary that has come on the journey with us, because those people will make key decisions.

I remain concerned about the structure of the offences and investigations. My amendments were unsuccessful, but I will lay out my concern, which was that a person would have to know about the requirement to notify about a change in circumstances or pass on vital information in relation to a claim. I was concerned that that was too widely drawn, and the Government amended the bill to provide a defence of having a “reasonable excuse”. I ask the minister to pay

particular attention to that. It may be a few years hence, but we need to ensure that that provision in sections 71 to 73 does not catch out people who innocently do not provide information.

We have a statutory framework in place that appears to strike the right balance between a robust and efficient system and one that applies dignity and respect to those who rely on it. I think that it was Jeremy Balfour who made an important point about the regulations. It will be the role of the Parliament and the Social Security Committee to ensure that all of those principles are enshrined in the detail of the regulations. I fully appreciate that a great deal of work has gone into getting us to this stage. It is a big moment for the country and a big moment for the Parliament.

15:56

Shona Robison (Dundee City East) (SNP): I pay tribute to all those who have got us to this stage in the journey to build a dignified social security system in Scotland, including the work on the charter. I feel a bit late to the party, so it was great to have the Social Security Committee in Dundee yesterday, taking evidence—in particular from those with lived experience of the existing welfare system and its failings.

Like many members, I have met constituents who have been left destitute and in vulnerable situations, with families on the breadline and relying on food banks. For part of our visit yesterday, we went to two of Dundee's food banks, which shared with us the very difficult circumstances that many people are in; they also told us what a lifeline service they provide to those people.

Just last week, two constituents came to see me because universal credit had left them without a penny and, for the first time in their lives, in rent arrears, with all the implications of that. Despite trying to explain their current situation to the DWP and the potential risk of eviction, they were met by a cold blank wall of refusal.

Those are not isolated incidents by any means. Another constituent's child was ill, which resulted in my constituent missing their appointment at the jobcentre. They could not phone to cancel as they did not have enough money to put credit on their phone. The following day, they walked to the jobcentre to explain the situation, but there is no discretion, so they were sanctioned. That family of two was left without money for two weeks. Members across the chamber will recognise that type of story.

Yesterday, I met Ewan Gurr, whom many members will know—members have probably had lots of dealings with him. Ewan was a Trussell Trust manager not too long ago and established

its Dundee food bank. He has witnessed first hand the reality of the UK Government's policy decisions on welfare. He gave me some quite staggering statistics. In 2012-13, the Trussell Trust received 14,318 referrals. One year later, the number rose to a shocking 71,421—an increase of 499 per cent. We have to ask ourselves how, in the 21st century, in a developed country with the fifth largest economy, we can think that that is acceptable.

We heard from the food banks yesterday about how vital their service is. Importantly, we also heard that what they want in the new social security agency in Scotland is a very different ethos. I am relieved that the Scottish Government is now taking control of some aspects of our social security system. I wish it was all aspects, but it is a start. The charter, as it develops, will help to enshrine the ethos of dignity and respect.

My constituents and people in the rest of Scotland will have access to a compassionate and person-centred system through the agency. People will be treated as people and not as just another number, and they will be treated fairly, with the dignity and respect that they deserve. We will have a fair system that people can rely on and trust. The Scottish Government—and the Parliament, given that there has been a lot of cross-party co-operation—should be commended for its hard work.

When the then Minister for Social Security, Jeane Freeman, came to my Dundee City East constituency last year, she visited the Brooksbank Centre & Services, which is a charitable organisation that offers advice on money and debt to people in the city. She met there a group of people who were given the opportunity to share their experiences with her directly.

That event and similar ones across Scotland have allowed the Scottish Government to develop a bottom-up approach to the new system and have set the tone for its creation. People feel involved in the system's creation; they know that that is not a cosmetic exercise and that they are being listened to. Organisations such as Brooksbank feel that they have influenced the shape of the system and how it will work for our communities.

The manager at Brooksbank, Ginny, met the Social Security Committee last night. She has said that the feeling there and at similar projects throughout Dundee is that the Scottish Government is coming into already established partnership networks and becoming part of the sector, not part of the problem. She has told me that her project has been given concise and well-organised information by our new agency and that her organisation will no longer have to worry about chasing payments that people are entitled to,

which will enable her advisers to focus on other issues that are caused by the complexity of the UK benefits system.

Not all parts of the new agency are operational yet—we saw an expansion in the job numbers yesterday—but having a system that is operated locally means that projects such as Brooksbank can build relationships with staff and resolve issues much sooner. That partnership work is key to the ethos and culture of the new social security system and is key to getting it right. If we get things right now, we can lead the way in the future and have a flagship social security system that is looked on as one of the best in the world.

The new agency, with its charter, is off to a good start. Yesterday, we saw feedback from people who have received the carers allowance supplement. A post-it that I saw on a wall called that a “Bruce bonus”, which sums it up.

16:02

Jamie Greene (West Scotland) (Con): By 2021, Scotland will be responsible for making more social security payments in a week than we currently do in a year. That is a massive undertaking, which the former Minister for Social Security called

“the biggest shift of powers”

to Scotland

“in over a decade”.

That will be no small feat and will require a great deal of preparation.

The devolution of social security powers is undoubtedly complex, given the intertwining of UK-wide benefits with any devolved variations. As the charter enters its early stages of preparation, there is a lot to welcome, but the briefing papers that MSPs have been sent in advance of the debate suggest that there are still areas to consider, which I hope that the cabinet secretary is open to hearing about.

The debate is entitled “Building a Social Security System Together”. Much has been said about the 300-page Beveridge report of 1942. Only 70,000 copies were to be printed, but it was such an interesting piece of work that no one had done before, and such was the interest in welfare, that 600,000 copies ended up being printed.

I will quote an interesting recommendation from the report. It said that social security policies

“must be achieved by co-operation between the state and the individual”.

The state should secure the service and contributions, but it

“should not stifle incentive, opportunity, responsibility ... it should leave room and encouragement for voluntary action by each individual to provide more than that minimum for himself and his family.”

It talks about co-operation between the state and the individual, which was true then and is still true today.

Building the system together could not be a more apt way to describe how to approach the task in Scotland. The state and those whom it seeks to help must work together, if the contract between the two is to work.

When our welfare system was created, the world was different. Society is much changed since the days of Beveridge. Academia has consistently been there in the background to remind us of the statistics that show that women, ethnic minorities and people with disabilities are represented differently when it comes to employment and welfare outcomes. Across BME groups, employment levels are much lower than the national average. Currently, 77 per cent of Caucasians are employed, whereas only 55 per cent of Pakistanis and Bangladeshis are. Scotland’s social security charter needs to ensure that it serves all ethnicities in Scotland.

The core group that was set up by the Scottish Government includes a diverse range of stakeholders, which I welcome. People with mental and physical disabilities are represented, as well as the LGBT community. However, there are more than 200,000 people in Scotland who are from a BME background, and I hope that adequate space was given to them.

I welcome the creation of the social security experience panels, which were set up to gain the insight of more than 2,400 people who have had experience of the social security system. Anecdotal experience from the ground can and should help to shape welfare policy. Any member who deals with welfare-related casework in their day-to-day role will have had first-hand experience of some of the system’s problems and, by default, we often deal with problems, difficulties and failings in the system, as Jeremy Balfour said. However, experiences of the system are not always negative. I have met some excellent members of staff, who have been very helpful and sympathetic to my constituents.

It seems practical to get honest and realistic feedback from those who use the service. That is the most direct way to learn whether the decisions that we or ministers make are working on the ground. We should be open to evolution.

It is also important that, at a basic level, the system is accessible to all, so I welcome the decisions that have been made for the charter to be straightforward and to use common-sense

language, rather than hiding behind bureaucracy and using jargon, buzzwords or the niceties that are often in such charters.

We should listen to stakeholders such as Age Scotland, which highlighted that not everyone in Scotland is digitally literate and that we should make sure that copies of the charter are available in communities through local authorities.

The Government's position paper outlines that the charter should provide for strong scrutiny and accountability, which I welcome. A report by the disability and carers benefits expert advisory group that was published at the end of 2017 gave some suggestions for what that scrutiny might look like. It highlighted the importance of having an external body to ensure the independence of scrutiny. Given that position and the wealth of evidence in favour of it, I support the prospect of an independent body. The Scottish commission on social security should be afforded the independence that it needs.

I reiterate the comments that Jeremy Balfour made at the beginning of the debate. Many organisations have customer charters that sit proudly on the walls of their offices and are given out to people in nice leaflets. However, the charter should be more than that; it should be an ethos.

The cabinet secretary opened today's debate by praising the consensual way in which Scotland's social security system was introduced and agreed to. Although there will be political differences that set distance between us as parties, I hope that there is an earnest and genuine will to make a success of the new agency and the people for whom it seeks to provide.

16:08

Ruth Maguire (Cunninghame South) (SNP): Dignity, fairness and respect are important principles. We have used those words a lot and should make no apology for it. Keeping those important principles central to everything that we do is essential in order that we avoid the mistakes of the previous system which, despite the experience of a lucky—or, some might say, privileged—few, has caused harm, stress and worse to countless vulnerable individuals, and was described by the United Nations as

“a grave and systematic violation of human rights”

for people with disabilities.

I make it clear that even if only one person had suffered the indignity that has been described by scores of people to the Social Security Committee, and by scores of folk who come to our constituency offices, that would not be good enough and the system would have to end. Dignity, fairness and respect are important, so it is

important to acknowledge the progress that has been made through the work of the experience panels and others to develop Scotland's social security charter.

The historic Social Security (Scotland) Act 2018 established the first UK social security system that is based on the principle that social security is a human right. At the time, it was heartening to note the unequivocal support from across Parliament, and from external stakeholders alike, for the broad principles and aims that underpin the act and the creation of our Scottish social security agency. By working in partnership with the people of Scotland and by listening to, valuing and acting on the expertise and experience of people who use the benefits system, our Scottish National Party Government is demonstrating a commitment to turning those principles into reality.

The charter is intended to turn the principles into more focused aims, so that they are open to being monitored and reported on. Of course, Governments need to be held to account, no matter how good their track record is. A publicly accessible charter that communicates in clear terms what people are entitled to expect from our social security system will help to do that.

Social security is an investment in our people and our country. It is a public service. The charter explains in clear terms what the new system will do to give practical effect to the principles. By working in partnership with the people of Scotland, we will build trust and create a binding contract between the system and the people who use it. To do that, it is crucial that the commitment to co-design be realised.

I echo the assertion of Inclusion Scotland in its briefing that co-design has to be about a partnership of equals, with professionals and service users working together in an equal and reciprocal arrangement. For disabled people to bring their important lived experience, including experience of the current benefits system, to the discussion, we have to ensure that the right support is in place and that any barriers that would prevent their participating on an equal basis with others are removed, including barriers of disparity of power. We know from experience that the involvement of disabled people's organisations helps effective participation. A recent general comment from the UN Committee on the Rights of Persons with Disabilities stressed the importance of state parties giving particular importance to disabled people's organisations:

“Organisations of persons with disabilities should be distinguished from organisations ‘for’ persons with disabilities, which provide services and/or advocate on behalf of persons with disabilities, which, in practice, may result in a conflict of interests in which such organisations prioritize their purpose as private entities over the rights of persons with disabilities. States parties should give

particular importance to the views of persons with disabilities, through their representative organisations, support the capacity and empowerment of such organisations and ensure that priority is given to ascertaining their views in decision-making processes.”

I welcome the cabinet secretary’s comments regarding further work around targeted groups to increase diversity. However, another issue that was raised by Inclusion Scotland was whether the core group is sufficiently representative of different types of impairment—in particular, learning disabled people or people with other cognitive impairments, such as autism, to ensure that the charter reflects their needs. I recognise that with a small group of about 30 there will be challenges around publishing details of particular protected characteristics. However, I would welcome comment and reassurance from the cabinet secretary on that in her summing up.

It is clear that the Scottish Government is going way beyond warm words when putting dignity, respect and fairness at the heart of our new social security system. Having included provision for the charter in the 2018 act, the commitment to a rights-based approach is clear. The charter will give practical effect to important social security principles, and evidences the fact that the SNP Government will treat people with dignity and respect by putting principles into action to make lives better. I thank all those who are involved in this very important work.

16:14

Alex Rowley (Mid Scotland and Fife) (Lab):

The progress that is being made with the introduction of the new social security powers in Scotland has been commendable, and I consider the inclusive approach to the design of the social security system to be groundbreaking.

For those who have not experienced what it is like to access support through the social security system, the film “I, Daniel Blake” is surely an eye-opener. It is a clear demonstration of why the people who use the system need to be at the heart of designing a new system, and to be able to feed back on how that system is working in practice. Developing the social security charter is the next step in that groundbreaking process; it is therefore important that the approach of inclusiveness and engagement continues.

By taking the welcome principles that sit behind the Social Security (Scotland) Act 2018 and the social security system in Scotland and setting them out in the social security charter, we will empower the users of the system, the staff who deliver it on a daily basis and the organisations that support people who need support.

The Social Security (Scotland) Act 2018 gives the following formal functions to the charter. It

requires ministers to ensure that independent advice is available on the charter’s content as part of advice on social security issues. The act enables the charter to be taken into account by the courts and tribunals on relevant matters, and requires ministers to report annually on what they have done to meet the expectations that the charter sets out. The act also requires the Scottish commission on social security to report on how the charter is being fulfilled and to make recommendations for improvements.

Citizens Advice Scotland states:

“It is of utmost importance that the Charter is ensuring that it is “not just words”. The Charter must strengthen the guiding principles by embedding them into the system in a practical sense. The Charter should be used for training all staff who will come into contact with those needing support from the system”

and in doing so, will support staff to deliver on the agreed principles. It goes on:

“To empower people the Charter must be clear, accessible, and well-advertised. People who do not receive the service they are entitled to should be able to use the Charter to challenge substandard service and seek redress.”

Citizens Advice Scotland is also right when it says:

“Empowering people who require support is in the best interests of the whole system. When service falls short of the necessary standard, people who know their rights can challenge this, which in turn helps to ensure that a high quality level of service delivery is maintained.”

Why is that important? It is because it is important that we always make it clear that social security is an investment in the people, the communities and the wider economy of Scotland.

The principle that the social security system is to contribute to reducing poverty in Scotland is one that I am sure all of Scotland supports. However, that will depend on the ability and willingness of the Government of the day to raise the finances and commit the resources.

One of the most alarming developments of modern-day Scotland is the rise in the level of child poverty. Almost two in five children in Scotland will face the prospect of being in poverty by the end of the next decade. That represents an almost 50 per cent rise from today in the number of child poor, and the figure will have almost doubled since 2010. By the end of the 2020s, 400,000 children will be in poverty. That figure is far higher than it was even during the Thatcher and Major years, when child poverty rocketed.

As the Institute of Public Policy Research recently said,

“the scale of the financial challenge of reducing child poverty will likely need concerted action, for many years”

requiring

“a combination of increased earnings for the poorest households (through inclusive growth), and increases in social security payments”.

The figures are shocking and alarming, but they were confirmed in the Joseph Rowntree Foundation report on Scotland that was published today, which highlights a scale of poverty that should make us sad and angry. Today, more than half the children—56 per cent—in out-of-work families are in poverty, and that figure will exceed 90 per cent by the late 2020s. As the report says, the escalating poverty crisis is driven by the substantial cuts to social security benefits and tax credits and the introduction of universal credit, which will be rolled out by 2023.

Although I accept that we cannot mitigate all the ills of the Tory welfare policies and failed Tory austerity, I suggest that tackling the growing levels of child poverty will be essential to achieving the principles that sit behind the Scottish social security system.

16:20

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): As members know, many constituents facing sometimes dire situations come to their MSPs for help with benefits issues. They do so, and will continue to do so, regardless of whether the benefit in question is devolved or not.

With devolution of a number of benefits to the Scottish Parliament, however, it can be said that in at least in one limited respect the actual powers of Holyrood have caught up with the expectations that our constituents rightly have of Parliament.

I want to say something about how the benefits that are now devolved to us should operate, on which I hope that there might be greater than usual consensus, at least on some things. We should consider—as is being considered—what principles we are starting from and what lessons we can learn from the social security system as it has operated until now.

The principles are a good point to start from. They are born not merely of consultation of service users but, as others have mentioned, of genuine co-design. The principles are endorsed unanimously by Parliament and are set out in the 2018 act. Now we have a rare opportunity to try to get it right, at least for the 15 per cent or so of the social security system that is being devolved to Scotland’s control. That means translating the principles into a social security charter.

It is important to say that the charter is more than merely a general statement of good will. Not only will the Scottish Government and its agencies be measured against the charter, but organisations that believe that the system is failing will be able to use the charter to make that point.

The idea of social security as a rights-based system, founded in ideas of human dignity, is radical. Indeed, it is arguably a radical departure from the ideas of social security that have gone before, which come from a system that is historically derived ultimately from ideas such as “the deserving poor” and “the undeserving poor”. Writing a charter provides an opportunity for something better—something that is more clearly founded on ideas of human dignity and equality.

I want to mention one group that is of particular importance in my part of Scotland—namely, people who benefit from cold-weather payments. At least five or six of our starting principles could be invoked as reasons for raising the issue. I have raised the issue of cold-weather payments with the UK Government on numerous occasions in the past. Like other members from the west of Scotland, I recognise that the current threshold for cold-weather payments is very high—or, if we think of it strictly in temperature terms, it is very low. The temperature in an area has to fall below freezing for seven nights in a row before the payments are triggered. On the west coast of Scotland, that is something of a rarity, but areas like mine have some of the worst levels of fuel poverty in Europe.

There are many explanations for that to do with housing types and so on, and much work is being done by the Scottish Government to address the problems. However, another factor is wind chill. The weather that hits the west coast in the winter might not be literally freezing, but it certainly feels like it. I again make the argument that wind chill be taken into account when payments are calculated, and suggest that we all consider that argument seriously as we think about the principles for our new system. As many members have pointed out, we have to build a new social security system that is based on people’s lived experience of the existing one.

By 2021, there will have been an estimated £3.7 billion fall in payments in Scotland in the benefits that are administered at UK level. That is a huge slice out of the incomes of hundreds of thousands of Scots that no amount of mitigation by the Scottish Parliament can possibly make up for. As members will have seen from evidence that has been provided by Engender and other organisations, between 2010 and 2020, 86 per cent of those savings will come from women’s incomes. Those are huge issues for us to think about in considering how the devolved benefits relate to the benefits that still operate across the UK.

That may all be a debate for another day but, as MSPs, we will continue to get inquiries about both devolved and reserved benefits. I hope that our charter will ensure that the system in Scotland is

at least accountable and listening, and that it is founded on meaningful guiding principles that, I hope, are shared across the chamber.

16:25

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to take part in this debate on Scotland's social security charter. With 30 per cent of working-age benefits being devolved to Holyrood, along with powers to top up existing benefits and to create new ones, we have an exciting opportunity, which many members have talked about. We also have the important responsibility of considering how we deal with a distinctive welfare system in Scotland and the options for securing the best approach for the people of Scotland.

The inclusion of the social security charter in the Social Security (Scotland) Act 2018 is welcome. As well as setting out what is expected of the Scottish ministers in forming their social security policy, the charter will be developed in consultation with the people who rely on social security daily. The key people who actually receive the service must be part of the process. The approach of engaging with a broad range of people in designing the new welfare system is the right one.

Although the core group is drawn from the wider experience panels and includes individuals who are in receipt of a range of benefits, as well as people of different genders and from different locations, I was a bit surprised before the debate to find that there was a lack of young people or those from ethnic minorities. I am therefore delighted that the cabinet secretary has taken that into account, because it is right that we widen the net to include as many people as we can in the process.

It is important to find out about the social security support mechanism. Notwithstanding some of the concerns, the recommendations of the core group seem to be sensible, reasonable and appropriate. People who will deal with the system daily want it to treat clients fairly and with respect and they want staff to be appropriate, kind and understanding. They want a system that is clear, simple and easy to navigate. Those must be the priorities, and I am glad that many of them are being followed. I am sure that we will get support from not just across the chamber but outside it if we are prepared to take that seriously and tackle it head on, and I think that the process of producing the social security charter is doing exactly that.

However, we need to bear in mind that, no matter how strong Scotland's social security charter may be, its success will depend on how well it is implemented and what it does to ensure

that people get that respect. Individuals' views must be taken into account to ensure that the system is proper and that appropriate management systems are in place.

There are real issues with implementation. Earlier this year, Audit Scotland reported that the Scottish Government may have underestimated some of the impact of the implementation of the Scottish welfare system. That problem has been identified, and it needs to be solved. I am sure that the Scottish Government will take that on board. Moreover, the new body will require many staff. The Scottish Government has already transferred a number of individuals to the project to ensure that staff are in place, but Audit Scotland has highlighted concerns about whether the necessary staff numbers can be recruited in time to ensure that everything is devolved. That needs to be looked at to ensure that we achieve the goals that we have set ourselves. We want this to work effectively for everybody. Audit Scotland has a role to play in advising us and coming up with some possibilities about issues that could cause us concern in the future.

Of course, we have heard mention of a new information technology system perhaps being required. We already know that the Scottish Government has a difficult track record on IT systems—we need only consider those relating to Police Scotland, farm payments and the national health service. I will simply leave that comment there. We need to ensure that things are fit for purpose. I am sure that that will be addressed as we go forward, because that is vital.

Some positive progress is being made. I commend and congratulate everyone on what has been done. The work of those who have sat on the panels and taken part in the core group will ensure that the charter will be a success. I have no doubt that it will be a success, but the culture of that success must work for all. We must keep in mind the difficulties of setting up a new system, and we must also keep in mind that that system must work for all.

The Scottish Conservatives are supportive of what is taking place, but we will hold the Government to account if things do not work.

The Minister for Older People and Equalities (Christina McKelvie): I am heartened to hear Alexander Stewart's comments about the value of co-production. Will he recommend that approach to his colleagues in Westminster, so that the DWP can make the same progress that we have made in Scotland?

Alexander Stewart: I am fully aware of what my colleagues in Westminster are trying to achieve. However, you make a valid comment. We can all work to try to achieve that. As I said, however, my

colleagues in Westminster are taking that on board.

I pay tribute to all who have worked on the committee and the panels. We all want this system to work for individuals who require support. The legislation that we introduced in this Parliament was pioneering, as it should be. I support it and I support everything that has been said today.

The Deputy Presiding Officer (Christine Grahame): That was an immaculate speech, Mr Stewart, apart from the fact that you used the term “you”. I will persist in correcting members on that.

16:32

George Adam (Paisley) (SNP): As colleagues have done, I welcome this debate, which comes on the back of a lot of work on the part of all the members of the Social Security Committee. I particularly liked the fact that Pauline McNeill talked about all of us on the committee being co-producers of the social security system. Of course, my natural humility would prevent me from making that comment, but Pauline McNeill is 100 per cent right: the Social Security (Scotland) Act 2018 was the creation of all of us in this place and of those outside this place who contributed through the experience panels.

The social security charter goes beyond warm words, beyond listening to people for the sake of it and beyond the usual Government practice of implementing top-down ideas. This is a social security system that was created in conjunction with those who use it. The social security charter creates a binding contract between the system and the people of Scotland. This is not a framed document that will gather dust on the wall of the office of Social Security Scotland; it is a working, living document that builds the very foundations of our social security system. It sets out what people in Scotland can expect and are entitled to from our new system.

The 2018 act requires the development of a charter that reflects the eight social security principles that are set out in section 1 of the act. During the progression of the bill, ministers committed to producing the charter, working with people with experience of the social security system. The charter is intended to turn the principles into more focused aims, so that they are open to monitoring, reporting and scrutiny. More importantly, the Scottish Government has not only listened to but acted on the wishes of those with lived experience. The very naming of the charter was taken forward through the discussions of the core group, whose clear preference was for it to be called the Scottish social security charter.

The format of the charter had to be accessible, and it had to do what it set out to do. If there is one

thing that I have learned during my time in local government and the Scottish Parliament, it is that, whether we are talking about the civil service or council officers, they all like to write long reports and papers. However, the charter is much more important than those documents. It has to be long, but it has to be short enough for people to understand. It has to be able to be grasped by individuals so that they know exactly what their rights are. All those things were brought up by the core group and show us, once again, how valuable the group’s input was.

The principles of the charter are important. As politicians, we love principles. Some of us have them and value them; we can only hope that others will catch up with us some day. The report’s overall finding was that while, for the core group, the separate principles had important aspects and meanings, there was also a significant overlap. The group came up with a list of 45 statements that explain what the principles mean in practice. The statements can be grouped into five themes, which are an important part of the debate. Number one was about clients. For the people who are involved, dignity should not be expressed just by words; first and foremost, clients should be the most important in the whole process. Number two is about staff behaviour and ensuring that those who deliver such services do so in a way that is helpful to those who claim. Number three is about ensuring that processes are open, transparent and not a hindrance during people’s time of need. Number four is about the social security system itself, and number five states that the wider culture of social security in Scotland should be positive.

For me, the most important aspect is the process of consultation and co-design that will help to build trust in the Scottish social security system. Recently, there has not been a lot of trust in the benefits system, given the UK Government’s so-called reforms. Building the system has been an important part of the exercise, and it is only right that people should feel trust between the system and themselves when they go through the process. The Equality and Human Rights Commission noted that the co-production model could help to develop positive working relationships between claimants and front-line staff. That is an important part of the debate, too.

The Social Security (Scotland) Act 2018 sets out eight principles for Scottish social security. Although they are all valid, one of my particular favourites is that Scottish social security is

“an investment in the people of Scotland”

—which is to say that, during their times of difficulty and need, we are there to support them. The others are that

“social security is itself a human right and essential to the realisation of other human rights”

and that

“respect for the dignity of individuals is to be at the heart of the Scottish social security system”.

For too long, such principles have been just words and have not actually been used in other processes with the DWP. The Scottish social security system is to contribute to reducing poverty in Scotland, but it is also an important part of how we build a better future.

The Social Security (Scotland) Act 2018 is one of the largest pieces of legislation that the Scottish Parliament has produced. It affects many people in our country, and can be used as a tool to bring people and families out of poverty. However, before we can do all that, we need to state the rules and regulations. People need to understand what their rights are, but that needs to be done in a way that they can appreciate. It is my belief that the Scottish social security charter does all those things. It gives hope to our fellow Scots that our Scottish Government listens to what they say and appreciates their contributions. As I have often said in this chamber, politics is about people. If we put them first, we can and will deliver the type of Scotland in which we all want to live.

The Deputy Presiding Officer: We move to closing speeches. I call Mark Griffin to close the debate on behalf of the Labour Party.

16:37

Mark Griffin: I am pleased that we have had a chance to support the progress that is being made in delivering Scotland’s new social security system.

The charter and its co-design, parliamentary approval and human rights-based approach are key to realising dignity, fairness and respect in the system, which will be a marked change from what we have now. Crucially, it will ensure that we deliver on the law that we agreed on in April. It should embed all the principles in a way that is understandable, and in plain English. The charter is a key way of realising the core principle of our social security system, which is that

“the Scottish social security system is to be designed with the people of Scotland on the basis of evidence”.

The charter is, of course, about people and their rights. To be effective, it must clearly state social security recipients’ rights, set out how to complain when things go wrong—as they will—and who to complain to.

Though my attempt to amend the Social Security (Scotland) Bill to require the charter to pay due regard to the International Covenant on Economic, Social and Cultural Rights was not accepted by all members on the Social Security

Committee, the charter should also embed another core principle, which is that

“social security is itself a human right and essential to the realisation of other human rights”.

Today, we have heard about the importance of ensuring that the charter should be rooted in the PANEL principles, which was a call that was made in the Health and Social Care Alliance Scotland briefing. Jeremy Balfour echoed Citizens Advice Scotland and my own earlier comments that other individuals or organisations with an interest should be consulted as part of the scrutiny process.

Pauline McNeill spoke about the process of parliamentary approval that lies ahead, and I would be keen, as she is, for the cabinet secretary to spell out the intended timetable for that.

Alasdair Allan mentioned cold weather payments in his constituency. Similarly, in central Scotland we have the position whereby the weather conditions of residents in Coatbridge and Airdrie are recorded by separate weather stations in Bishopton and Salsburgh. I know that one household in the area received four cold weather payments last winter, whereas the household next door received only two. Perhaps the cabinet secretary could look at that. I welcome Dr Allan’s comments on the subject, and I hope that we can all work together on the issue.

In its briefing, the Health and Social Care Alliance suggested that the Parliament should consider extending the period for developing the charter to ensure that the process is led by

“free, meaningful, active and informed participation”

rather than being

“overly driven by time constraints”.

I would welcome the cabinet secretary’s response on that. Our amendment refers to the process as “ongoing”, which echoes SAMH’s call for the charter to be considered as a live document.

As I said, Labour members would like there to be a push to recruit more members to the panels, which could encourage more hard-to-reach groups to come on board. We would also like the process to be more open. I hope that the cabinet secretary agrees, because there is room for improvement. In June, the cabinet secretary’s predecessor, Jeane Freeman, told me that almost 1,000 of the 2,400 experience panel members had failed to engage since the initial recruitment. That suggests that something has not fully worked in the programme, in which £300,000 has been invested to date.

Anecdotal comments about the short, sharp nature of the research and the timings and methods of the engagement suggest that the work could be better built around panel members. I underline the point that the panels should be

designed with people as opposed to for them, or otherwise built around the needs of the Scottish Government.

Opening up the panels further and making more up-to-date information available, perhaps through Social Security Scotland's excellent new website, could make them more accessible. Earlier notice could be given of forthcoming work, and greater detail could be provided, including more live details on the feedback from panels. That could further increase the value of and the engagement with the panels.

The recently published "Experience Panels Research Plan 2018/19" says that we should expect reports on the design of the funeral expenses assistance service, the carers allowance supplement letters and the PIP assessment process this autumn but, on all three counts, the Government has published its draft regulations, sent out the letters or—it did this last week—confirmed its position on the assessment process. There is therefore a question as to how the experience panels will feed into the work on those entitlements.

In May and June, in response to questions from Pauline McNeill and Daniel Johnson, Jeane Freeman said that mobility criteria were under active consideration, but the plan does not include that. Offering mobility to over-65s and removing the 20m rule are key priorities for Labour, and I hope that the minister can confirm that those measures are very much under consideration by the panels.

Earlier, I reminded the chamber of the effect of Tory reforms. Disabled people have lost £190 million from PIP alone, and the figures that I have uncovered show that 50,000 people have had to suffer a second PIP assessment under the revolving door of reviews.

This summer, I sought people's views on what future social security should look like. At round tables and local meetings, I have asked disability organisations and disabled people what their priorities are, because when the time comes to consider the replacement for PIP and carers allowance, and the rules, criteria and rates of benefit that go with them, it is vital that the people of Scotland will have their chance to deliver a social security system that is founded on dignity, fairness and respect.

The Deputy Presiding Officer: I call Michelle Ballantyne to close for the Conservatives.

16:44

Michelle Ballantyne (South Scotland) (Con): I hope that, at decision time, we will have consensus on today's motion and amendments,

and I echo the cabinet secretary's statement that all of us in Parliament must and will continue to work together to deliver a social security system that works for the people.

None of us doubts the importance of getting the approach to, and the content of, the social security charter right. The proposal came from the people, and we have a duty to deliver a meaningful response to the requirement in the act.

Inevitably, much of the conversation on the development of the charter will be about the language. Therefore—unusually—I will start with a quote from the Unison briefing. Unison has made it clear that it does not like the term "customer" and has said:

"More fundamentally whether those using the system are 'claimants' 'users' or 'customers' and whether they are receiving 'benefits', 'entitlements', or 'Citizens Supplements' or whether they receive information via email text or in person; the crucial factor is how much money people are receiving ... no level of semantic sensitivity or personalised user friendly service will allow for the system to meet principles of dignity and respect."

In creating a social security charter, we must be sensitive to the expectations that we are raising and to our ability to deliver. That concern was also noted by Alex Cole-Hamilton.

Jamie Greene and Alex Cole-Hamilton highlighted the principles on which social security was established. They reminded us that Beveridge was clear that in delivering security we should not stifle incentive, opportunity and responsibility, and that we must leave room and encouragement for voluntary action by each individual to provide more for their family.

My colleague Jeremy Balfour talked eloquently about the role of the charter, the importance of it being more than words and its role in clarifying expectations and holding agencies to account. He reminded us of the legal importance in that the charter is not about individual rights but the principles on which the Scottish social security system will operate.

I am also grateful to Jamie Halcro Johnston for touching on the importance of tangible outcomes with regards to the charter, and for raising the comments on the PIP and ESA independent reviews at UK level. I hope that the cabinet secretary will address some of the questions that Jamie Halcro Johnston raised.

As Jamie Greene highlighted, it is vital that current levels of scrutiny continue to be applied to benefits once they are devolved. The charter can provide the mechanism for that by ensuring geographical equality or through the opportunity to provide on-going improvement to the system.

Many members have acknowledged and welcomed the co-design approach that is being

taken. As Bob Doris, Shona Robison and other members of the Social Security Committee mentioned, our visit to Dundee was about listening and gaining an understanding of the experiences of those who use the system.

Communication in design and in delivery is vital. As Pauline McNeill and others mentioned, it is important that the Scottish social security system is not digital by default. Age Scotland's briefing reminds us that the Scottish household survey found that 67 per cent of people aged 75 and over do not use the internet.

We all welcome the cabinet secretary's announcement that the membership of the experience panels has been expanded to be more representative, because it is important that a broad range of voices is captured. Alexander Stewart spoke insightfully on the need for broader representation on the core group. Hearing from people who have had positive experiences is important, not least to try to understand why it worked for them and not for others.

If the charter is really to provide a guiding influence on our system, we need to get it in place. Ideally, it would have been in place already, prior to the delivery of benefits, to ensure consistency across the board, given that, in the Scottish Government's words,

"the agency's complaints and appeals procedures will also be strongly reflective of the values and standards set out in the charter".

The charter will form a key tool for those seeking redress, so it is important that we get it in place as soon as possible.

When reading through Friday's report, I was struck by one comment in particular from a member of the core group. It was a suggestion that the charter be placed conspicuously,

"right in the eye line",

of Social Security Scotland staff who are dealing directly with the public. If we truly wish the charter to succeed, we must be proud of it. As Alexander Stewart said, that is key. The respect that we build through being proud of the charter is what will take it forward. It is a symbol of collaboration between service users and staff and Government, a common touch point to which they can all refer and a guideline on what to expect once they cross the agency's threshold. The suggestion of an eye-line charter is a good start and a contribution that should be borne in mind as the charter takes shape.

16:49

Shirley-Anne Somerville: I welcome the debate and the contributions that we have heard from members. It befits the charter's importance

that we have tried to achieve, and have succeeded in achieving, a great deal of consensus today. I thank the members who contributed, including those who spoke very supportively of not only the Scottish Government's work but, more importantly, the work of our experience panels and stakeholders in bringing the charter to life. I repeat that that work is fundamental to the wider necessity, as we develop our social security system, of building trust with the people of Scotland. We need to demonstrate through our actions that we will honour that trust by delivering on our commitment to do things better.

In my opening remarks, I spoke about my genuine desire to carry on the collaborative approach that my predecessor established throughout the bill's progress, and I am pleased that that approach has continued today. Of course we will not agree on everything, but today's debate has made it clear that we agree on the nature of the new public service and the role of the charter in it.

With that in mind, I am pleased to support Mark Griffin's amendment to the motion. I very much agree that the process "should be an exemplar" of co-production and that we should continue to work to expand the diversity of those who participate in co-design. Mark Griffin rightly talked a great deal about the importance of co-design. As he said, it is a system for people, rather than something that is being done to them. That is why I take very seriously the comments from Mark Griffin, Jamie Greene and other members on, for example, the point that no members of black and minority ethnic communities were part of the original core group. We have to ask ourselves why people from certain communities did not come forward to be part of that process. I am very much open to learning lessons from the innovative co-design process, because I want to do it better in the future. Interestingly, there is a great deal of interest from other Administrations and Governments in how we are carrying out our co-design work on the charter. That speaks to the innovative nature of what we are trying to do. We are very much open to learning lessons, and doing so quickly.

Ruth Maguire and Jeremy Balfour raised issues about the representative nature of the core group. As Ruth Maguire pointed out, there are difficulties in talking about the protected characteristics of a group of 30 people, but I hope that I can reassure her that we have included people who have a disability, including those with a mental, physical or learning disability; men and women; a range of ages; people of different sexual orientations; people who are married or in civil partnerships; people of different religious beliefs; people who have experience of each relevant benefit; people who have fluctuating conditions; people with hearing impairments; people with visual

impairments; carers of both adults and disabled children; rural and urban dwellers; and people who have more than one of those characteristics. We are working closely with stakeholders to ensure that the views of people from seldom-heard or underrepresented groups are included in our work on the charter.

I am very pleased to say that we will also support Jeremy Balfour's amendment tonight. We will consider how we might include the views of organisations and individuals in the work that we do. From the beginning, the charter and its principles have been the product of wide consultation and engagement, and I am committed to doing my part through the co-design process to hold focused discussions with stakeholders. We already have a stakeholder group of 27 organisations, and many organisations are also meeting with officials. My door, and that of my officials, will always be open to those who have an interest in our system and wish to contribute to the discussion.

Jeremy Balfour and other members spoke about why we should have a charter, and the fact that it must be more than just a bunch of words. I absolutely agree on that. George Adam talked about the charter as a working and living document, and I completely concur with that too.

A great deal of work went into the interim report that was published at the end of last week. The process is iterative, and it is in its early stages, but I assure Jeremy Balfour and other members that it is very open. A lot of capacity building has gone on with the core group to ensure that the process is absolutely not about officials saying, "What do you think about our ideas?" but is very much led by the core group.

We expect to be able to lay the charter before Parliament before the end of the year. Obviously, it is not for me to judge how Parliament settles its timetable, but I am open to the committee and Opposition parties making suggestions about how we can take that process forward.

Jeremy Balfour asked about the delivery of other benefits. We will take responsibility for all benefits by the end of the parliamentary session. We will move forward with policy on PIP, for example. Work on that is on-going through our experience panels and the expert advisory group. Regulations will be introduced in due course.

We should reflect on the very important point that Patrick Harvie raised. We have a system that is absolutely mistrusted by the people who use it and by anyone who hears anything about it. As Patrick Harvie correctly pointed out, that is exactly why our new system must be developed on the basis of people's lived experience. That will be at the heart of everything that we do—it will be what

we consider first, last and always as we develop the social security system.

Alex Cole-Hamilton asked the Government to look very carefully at the experience and expertise of stakeholders. I absolutely agree with him on that. As I have already mentioned, we have a stakeholder group that is working to advise the core group, and discussions with officials are happening.

Bob Doris, Shona Robison and other members spoke eloquently about the consequences of the current system. My constituency mailbag and surgeries also bring those consequences home—as I am sure those of all members do. However, I am particularly mindful of my visit to Inclusion Scotland immediately before I made my statement last week. I spoke directly to people about the impact that our policy decisions will have on their everyday lives. It is always humbling for us to remember that the decisions that we take in the chamber will make a real difference to people. I am determined to ensure that that will be a positive difference for people who have been exceptionally scarred by their experience of the current system.

That is why it is important that we recognise what we are doing—we are designing a new system; we are not tinkering around the edges of the current system—and why the culture of the new agency is so important. I am delighted to have heard from a number of members about their experiences when they visited the agency headquarters in Dundee yesterday. I greatly enjoyed that experience as well. We can tell that, from the chief executive and the senior management to all the client advisers, the people there genuinely get that they are doing something different and momentous in Scotland and that they are part of something historic, and they are very proud of that. I hope and expect that that will be reflected in everything that they do as they deal with people on a one-to-one basis.

Clare Adamson talked about the need for vision and the type of society that we want. I know that that will be embedded in the culture that we will have.

Pauline McNeill mentioned her unfinished business. She probably mentioned too many issues for me to be able to go through them all in the time that I have, but I would be more than happy to meet her and discuss some or all of them with her. I reassure her that I will look very carefully at what she said about the appeals process, offences and investigations, for example. She made suggestions about what should go into the charter. It is too early for me to say what should go into it; I will allow the core group to comment on that before I do.

I am heartened by the fact that many members have endorsed the findings from the core group so far. As I have said, our intention is to submit the first charter for parliamentary approval by the end of the year. However, in many ways, that will be the beginning rather than the end of the process. If approval is granted, we will move on to implementation and ensuring that the charter is meaningfully delivered.

As Mark Griffin, Patrick Harvie, Clare Adamson and many others have said, what is important about what we are doing through the charter and the social security system is that we are ensuring that the people's voices will now be heard. This Government and Parliament will act on their voices, to ensure that we have a social security system that we can be truly proud of.

Committee Announcements

The Presiding Officer (Ken Macintosh): Members may recall that the commission on parliamentary reform proposed that time be set aside during meetings of the Parliament for significant announcements from committees on urgent inquiries or to set out the findings of recently published reports. As agreed by the Parliamentary Bureau, we will trial the new procedure up to Christmas. In that context, I am pleased to call Bruce Crawford, who is the convener of the Finance and Constitution Committee, to make an announcement on common United Kingdom frameworks.

17:00

Bruce Crawford (Stirling) (SNP): I welcome this new opportunity for parliamentary committees to highlight the work that they are undertaking, and the commission on parliamentary reform is to be commended for making such a useful recommendation.

On this first use of the new procedure, I bring to members' attention the committee's important inquiry on common frameworks. Last October, the United Kingdom and devolved Governments agreed that it would be beneficial to establish, post-Brexit, common approaches across the UK in policy areas such as justice, the environment, health and agriculture and fisheries, which are areas where a common policy approach is being delivered by virtue of the United Kingdom being a member state of the European Union.

The Governments have agreed principles to underpin the agreements. Those include principles to enable the functioning of the UK internal market while acknowledging policy divergence, to ensure that the UK can negotiate and implement new trade agreements and international treaties and to safeguard the security of the UK.

The common frameworks should matter to us all at Holyrood, as they will impact on the policy approaches that we scrutinise and will be asked to vote on in future.

I know that colleagues on other committees have also been looking at this significant issue. It is vital that this Parliament, civic Scotland, non-governmental organisations and other stakeholders have a role in helping to shape and influence the development and agreement of the common frameworks.

In June, the Finance and Constitution Committee began its inquiry by seeking written views. We have since complemented our work with a fact-finding visit to Brussels, where we learned that meaningful engagement undertaken

early and often is vital to ensuring success in finding agreement.

We will hold a round-table discussion in committee on 24 October and, with other parties, will host a conference at the Royal Society of Edinburgh on 2 November. Key sectoral representatives have been invited from across the UK, as well as from the UK and devolved Parliaments and Governments.

The frameworks are being developed right now, so the Finance and Constitution Committee will look to publish its findings as early as possible to ensure that the committee and Parliament are involved in helping to shape the direction and development of the frameworks at as early a stage as possible.

I hope that members will find the committee's on-going work and the final report that it produces useful with regard to their own involvement in the development of common frameworks.

Decision Time

17:03

The Presiding Officer (Ken Macintosh): There are four questions to be put this evening. The first question is, that motion S5M-14142, in the name of Ruth Davidson, on a motion of condolence, be agreed to.

Motion agreed to.

That the Parliament expresses its deep sadness at the death of The Rt Hon Sir Alex Fergusson DL; offers its sympathy and condolences to his family and friends; appreciates his wide contribution to public life, particularly his distinguished tenure as Presiding Officer of the Scottish Parliament, and recognises the high esteem in which he was held by colleagues from all parties and the principled, dedicated and considered way he represented the people of Galloway and West Dumfries.

The Presiding Officer: The next question is, that amendment S5M-14160.1, in the name of Jeremy Balfour, which seeks to amend motion S5M-14160, in the name of Shirley-Anne Somerville, on building a social security system together and co-designing the social security charter, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-14160.2, in the name of Mark Griffin, which seeks to amend motion S5M-14160, in the name of Shirley-Anne Somerville, be agreed to.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S5M-14160, in the name of Shirley-Anne Somerville, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament recognises the progress made in working with Experience Panels and others to develop Scotland's Social Security Charter; agrees with the human rights approach being taken to empower citizens to jointly lead this work; endorses the published findings of those with lived experience supporting work on the charter; considers that this consultation is an open, ongoing process, in which people who are entitled to social security are encouraged to enrol and participate; agrees that the process of consultation and co-design will help build trust in this new public service, but should also consider how it might enable any other individual or organisation with an interest to be consulted as part of any scrutiny of the draft charter; believes that meaningful co-production should be an exemplar that informs future Scottish public service design, and notes the Scottish Government's ongoing commitment to work with the Parliament and people of Scotland to deliver a social security system that lives up to the principles, agreed unanimously by the Parliament, in Section 1 of the Social Security (Scotland) Act 2018.

Cycle to Syracuse

The Deputy Presiding Officer (Linda Fabiani): The final item of business today is a members' business debate on motion S5M-13890, in the name of Oliver Mundell, on the cycle to Syracuse to mark the 30th anniversary of the Lockerbie disaster. The debate will be concluded without any question being put.

Motion debated,

That the Parliament remembers the 259 passengers and crew aboard Pan Am 103 and 11 residents of Lockerbie who were killed on 21 December 1988; recognises the response of the community and emergency services and shows its support for all who experienced pain and distress in the times that followed; notes that a number of commemorative events are planned; draws particular attention to the Lockerbie Memorial Tour 2018, which will see a team of cyclists undertake a continuous journey from Lockerbie Academy to Syracuse University as part of its desire to "complete" the journey that was never finished by the 35 students from the university who were on the flight; understands that the core team will consist of the tour organiser, Colin Dorrance, who will represent Police Scotland, Paul Rae, who will represent the Scottish Fire And Rescue Service, David "Heavy" Whalley BEM MBE, who will represent the RAF Mountain Rescue, David Walpole, who will represent the Scottish Ambulance Service and the "novice" cyclist Brian Asher, who will represent Lockerbie Academy, where he is the head teacher, and the wider community; acknowledges that the team also aims to raise money for the Dumfries and Galloway-based charity, Soul Soup, to support its outstanding work in providing mental health support to 12- to 25-year-olds to reduce their risk of suicide; thanks Scottish Power and the community businesses that are generously supporting the initiative; notes that the first stage of the journey will see over 1,600 pupils from the academy and the surrounding primary schools "crossing" the Atlantic by riding on exercise or their own bikes at school; understands that the second stage will be 70-mile public road cycle ride from the Memorial Cairn at the school to Edinburgh Castle by the core team, other cyclists from the town, the emergency services and members of the Ecclefechan-based cycling club, the Fechan Flyers; notes that the core team will then fly to Washington DC and cycle nearly 600 miles from the Lockerbie Cairn at Arlington National Cemetery to the university in time to join its annual Remembrance Convocation, at which they will make a presentation on behalf of the town, which will include a traditional shepherds crook fashioned by the Lockerbie Men's Shed with wood sourced from Tundergarth; conveys its thoughts, prayers and best wishes to everyone marking the 2018 Remembrance Week; thanks the university on the important role that it plays in providing a focal point for many families, maintaining an archive and fostering links with the town, including the academy; thanks the university's staff past and present, including Judy O'Rourke OBE, Kelly Rodoski and Professor Lawrence Mason, on their personal commitment; acknowledges the importance of the Lockerbie Scholarship, which sees two of the school's pupils study at the university each year, with 58 scholars having taken part so far; believes that the cycle embodies the motto of the remembrance scholarship program, "look back and act forward"; welcomes the strong links that have emerged between the town, the university and friends in the United States; wishes his team well with the 3,238-mile cycle, and recalls the town's motto, "Forward Lockerbie".

17:06

Oliver Mundell (Dumfriesshire) (Con): Thirty years ago, on the shortest and darkest day, Pan Am flight 103 left Heathrow airport for New York. Shortly after it had crossed into Scottish airspace and gained clearance for the trip over the Atlantic, flight 103 exploded over the Lockerbie area, killing 243 passengers, 16 crew members and 11 people on the ground.

For the victims' families and the many people in the town who were caught up in the events and aftermath of 21 December 1988, there is "before Lockerbie" and "after Lockerbie". I was born a year later, almost to the day, and, like an ever-growing number of people, I have only ever known one Lockerbie.

I could not be more proud of my association with the town. It might be full of characters, as some American visitors have pointed out, but better characters we would be hard pushed to find. Lockerbie, more than anything, has heart. There is a quiet determination to move forward and make the best of things. It is a friendly, open and welcoming place, partly because it just is, and partly because it has had to be.

The words that were penned about "gentle Lockerbie" in "On Eagles' Wings: In Remembrance of all Victims of the Lockerbie Air Disaster who Died on December 21, 1988", which was written by the mother of one of the victims, are too painful for me to quote here, but they are worth reading and reflecting on. They capture the complicated relationship between the victims on the ground and the victims in the air.

Everyone thinks that they know Lockerbie, but until a person has stood on the High Street and watched life go on as normal, almost as if nothing had happened, it is impossible to understand the town's achievement. It is by letting life go on that we ensure that those who sought to sow division and fear have not prevailed.

However, that has not come without a cost: the scars are not far beneath the surface. Visually, Lockerbie is healed, but for many the subject is still emotionally raw.

The same complexity and the same grit and determination can be found in America and beyond, where individuals, families and institutions have kept the memory alive while also focusing on the future. For many people on the two sides of the Atlantic, the strong bonds and connections that have been formed are perhaps the only universally positive thing to have come from the disaster.

It could be argued that the link between Lockerbie academy and Syracuse University in upstate New York best embodies that achievement. It is for many people the most

tangible of such connections. In the aftermath of Pan Am flight 103, Syracuse University promised that it would not forget its students and pledged to honour their memory through learning and teaching, so that tragedies such as Pan Am flight 103 would not be repeated.

The presence of the 35 remembrance scholars and two Lockerbie scholars who study at Syracuse every year is one of the ways in which the institution strives to fulfil its promise to remember all the victims, including 35 of its own students. Through the scholarships, students are encouraged to exchange ideas and to educate themselves and others about the effects of terrorism.

Thirty years on, the university has not only held true to that promise but has opened its doors to the families and communities of all 270 victims. It holds an annual remembrance week in October and has built up an extensive archive to help to capture an important moment in our collective history. The success of such programmes cannot be denied, and they have inspired and brought out the best in human nature.

To paraphrase the words of a former student, there is now a network of Lockerbie and remembrance scholars who have gone on to become global advocates, educators, activists, government officials, scientists, entrepreneurs and entertainers, all the while embodying the spirit of those who were lost on Pan Am 103.

Of course, everyone who was involved in or has been touched by the events of that day in 1998 wishes that the events had not taken place, but together our communities, recognising that we are all unintended victims, have rediscovered the best in human nature.

That said, like many local people I still want the past to stay in the past. I want to remember—yes—but I want at the same time for people and the town to have the chance to move forward. That remains my view, but through the cycle to Syracuse project I have realised that there will be no closure; after 30 years, the events cannot be wished away. It is easy to think that there is nothing that we can do, or to try to sidestep the issues, which I so nearly did when Colin Dorrance first got in touch.

In the midst of the remembrance scholarship programme there is some good advice for us all: “Look back, act forward.” For me, that is what the cycle to Syracuse is all about. In 1988, a journey began that was not completed; 30 years on, the cycle to Syracuse intends to continue that journey. It aims to complete the 3,238 miles between Lockerbie and the university in upstate New York that lost 35 of its finest students. This is a memorial tour, by the community in Lockerbie, on

behalf of the whole town, to demonstrate our on-going support for the families and friends of all the victims of the Lockerbie bombing.

In resuming that journey, we remember those who were lost and those who were affected in the aftermath, and the response of the townspeople and the thousands who came to help. However, it is not just about reflecting or dwelling on the past; it is also about constructing a better future. The aim is to focus on the on-going relationship between Lockerbie and Syracuse University, and to celebrate the hundreds of bonds that have emerged and will endure forever.

The symbolism of the journey is undeniable: completing the journey, linking together our communities, creating new connections, turning words into action and, sometimes, the need just to go through the motions. Most important is that it is an excuse to talk and reflect. Even the gift of a crook, made by Lockerbie men’s shed group from wood that was sourced from the Tundergarth area where the plane’s nose cone fell, has deep meaning.

For me, though, the most significant message has come from seeing more than 1,600 pupils from the Lockerbie academy catchment area take part in the initiative—using pupil power to get the team across the Atlantic Ocean. Their excitement alone at being involved makes the whole thing worth while. Even as primary 7s, a number of young people already plan to become the Syracuse scholars of the future. There is, too, the possibility that they will benefit from local charity Soul Soup, which plans to use funds that are raised from the journey to enhance mental health support at Lockerbie academy.

At the heart of the project is an incredible team. I am delighted that they have been able to join us in the gallery. At the helm is organiser Colin Dorrance, who as an 18-year-old rookie police officer was among the first on the scene in 1988. He had the vision and determination to turn the idea into a reality and has a close connection to Syracuse University, where his son was a Lockerbie scholar.

Next up is Paul Rae, who is a serving firefighter in the Lockerbie crew. Paul is the joker in the deck, and I am sure that his sense of humour will come in handy on the home straight.

David “Heavy” Whalley, who joined mountain rescue workers scouring the hills in the aftermath of the disaster, shows that age is no barrier, and is the local favourite to be first over the finish line.

Brian Asher is the headteacher at Lockerbie academy and new to cycling, and is leading by example. He represents the wider community and a successful changing of the guard at the school.

David Walpole completes the team. Maybe it is because of his paramedic training that he looks after everyone else; he is thoughtful and reflective.

In my constituency office, we think of the team as being a bit like a boy band, and we have nicknamed it the MAMILs, which stands for “Middle-aged Men in Lycra”. Presiding Officer, you will see if you look up to the gallery that that description is more generous to some members of the team than to others.

I look forward to performing in a few weeks my role as one of the backing dancers and joining the chair of Lockerbie and district community council, J’an Andrews, on a tandem for the final miles into Syracuse. Although Syracuse is thousands of miles away, doing that seemed more realistic than joining the Fechan Flyers and community riders on the 70 miles from Lockerbie to Edinburgh castle.

The joy is that there is something for everyone in the initiative, and the core team have a grateful community behind them at home and abroad. That is why I thank them and wish the team and all those who are involved in the cycle the best of luck.

Forward Lockerbie and on to Syracuse, where we have forged so many friendships. [*Applause.*]

The Deputy Presiding Officer: I ask people in the public gallery to make that the last time that they cheer, hiss, boo or otherwise respond.

17:16

Joan McAlpine (South Scotland) (SNP): I congratulate Oliver Mundell on securing this important debate and on the debate’s timing. The 30th anniversary of the Lockerbie disaster is more than two months away but, by drawing the Parliament’s attention to the cycle to Syracuse memorial tour now, he ensures that more people can follow the cyclists on their epic journey and that there is plenty of time to donate through the JustGiving page that has been set up to support Soul Soup.

The attack on Pan Am flight 103 in 1988 was a terrible act of violence—the worst mass murder that Scotland has experienced. The 259 passengers and crew aboard the plane and 11 more people on the ground lost their lives in the most awful way. We must never forget that.

I was privileged to attend the 25th anniversary commemoration in Lockerbie and to meet relatives of those murdered on the plane, who had travelled across the world. What struck me when I spoke to them—Oliver Mundell referred to this—was the special place that they had in their hearts for the town of Lockerbie and its people. Despite the shock and the scale of the disaster, the town’s people showed so much humanity—they helped to

recover the dead and their possessions, assisted the emergency services and opened their homes and hearts to the families who were affected. That has continued long after the wreckage has been cleared, in the support that the people of Lockerbie give to the bereaved and in the special relationships that they have formed with people around the world—not least those at Syracuse University, which lost 35 young students.

Cycle to Syracuse is typical of that Lockerbie spirit; it will complete the journey home that the young people from Syracuse never finished. It is a deeply appropriate response, because it involves the four emergency services that dealt with the aftermath of the bombing that night in the most professional way.

It is appropriate that the team includes the headteacher of Lockerbie academy. As Oliver Mundell said, the school has formed a strong bond with Syracuse because of the scholars it sends there every year, under a programme that has in the past been supported by the Scottish and United Kingdom Governments. As Oliver Mundell also said, many pupils of the academy and surrounding schools are completing the journey virtually, which is marvellous.

Like Oliver Mundell, I pay tribute to the other community organisations that are supporting the cycle in different ways, including Lockerbie men’s shed and the Fechan Flyers. It is fitting that the team will be joined by local cyclists on the way to Edinburgh castle and by numerous international friends as they complete the journey to New York state, which will make the cycle both a local and a global commemoration.

I am particularly pleased that the fundraising will benefit Soul Soup, which is a mental health charity for 12 to 25-year-olds in Dumfries and Galloway. I was privileged to attend the opening of Soul Soup a few years ago and I have seen at first hand the invaluable support that it offers in a friendly and informal environment, which the young people lead. It is a fantastic charity to benefit from the cycle.

Thirty years after the Lockerbie disaster, we are all far more aware of how adverse childhood experiences can affect the mental health of teenagers and young adults throughout their lives. From speaking to some local people who were children or teenagers at the time of the Lockerbie disaster, I know that the trauma of their experience has left lasting scars.

That is why I mention another commemoration initiative, which has been proposed by some of those who were directly affected by the disaster when they were young, and who contacted me earlier this week. Local environmental artist and curator Jan Hogarth and John Wallace, a film

maker and former Syracuse scholar, experienced the disaster that night—John was a child and Jan was a young arts school student who was home for Christmas.

They hope to conduct and film a peace prayer walk at dawn on the morning of the commemoration. The proposed walk would be at Burnswark hill, which is a special and spiritual local landmark that is close to the place where the cockpit landed. It has a 360-degree view of the landscape where many souls came to rest. The proposed prayer walk would be interfaith and non-denominational, and walkers would carry flags from around the world to reflect the diversity of the people who were on the plane. The artists are in discussion with the Allanton world peace sanctuary near Dumfries to discuss how to organise the walk as sensitively as possible. They are also speaking to members of the local community. Although it is early days, I wish them well in their endeavour.

In the meantime, I am delighted to express my support for the cycle to Syracuse Lockerbie memorial tour, which is already well under way and which will involve many people from Scotland and around the world between now and 21 December.

17:21

Finlay Carson (Galloway and West Dumfries)

(Con): I thank Oliver Mundell for securing this evening's important debate. It is a subject that is important to many of my colleagues and many of my constituents. Each year, private remembrance events take place in Dumfries and Galloway and across the USA, most of which we are unaware of as we go about our daily lives.

It is 30 years on but, as someone who was living in Dumfries and Galloway on the night of 21 December 1988, that night will always stay with me. I had just turned 21, and I clearly remember the evening. I arrived in the King's Arms after an evening with the young farmers, and we were met by the news that a plane had crashed in Lockerbie. We all thought that it was a joke, but then the pictures started to come through. People asked whether it was one of the many low-flying military jets that we often experienced, but it soon became apparent that it was much bigger than that.

I remember sitting up through the night with a good friend, Ian Lynsday, who tried in vain to get through to his brother who lived near Sherwood Crescent—all the telephone lines were down. That brought the horror home; it was a disaster unfolding in front of us. Of course, there were no mobile phones and I remember the tension from the lack of news.

We now know that it was not a military jet or a simple plane crash. It was Pan Am flight 103—a transatlantic flight from Frankfurt to Detroit via London and New York—which was brought down by a terrorist bomb that killed all 259 people on board and 11 people on the ground. It had a huge impact on people right across Dumfries and Galloway and few families were not touched by the events.

Willie Johnston, who has just retired after 35 years as a BBC reporter with Radio Solway, arrived on the scene only hours after the explosion. His contribution is still clear in my mind. As well as telling the news of what had happened and of the aftermath, his was the voice that provided a vital information link from the authorities to the community.

My cousin, Gordon McKnight—who joined the police force shortly before Colin Dorrance—was only four months into the job when he was stationed in the town hall, which served as the initial mortuary. He travelled the 86 miles from Stranraer every day for a 16-hour shift. It was a hugely traumatic eye-opener for a young cop who had seen only a few bodies before then. He became the area inspector for the Lockerbie area and, 27 years after the event, the memories of those dark days are still very much there for him.

The local police force, which is the smallest in Scotland, and the local community, local authority, emergency services and support workers made a huge effort on the ground, which I know will never be forgotten by the families who were hit by the tragedy. Colin Dorrance was on site as a policeman 30 years ago. At the time, he was the youngest policeman in the whole of Scotland. Colin has taken the lead on the cycle to Syracuse, which is a community initiative instigated by the people and services in Lockerbie to remember all those who were lost, to honour the community and emergency services response and to show support for all who suffered in the times that followed.

To mark the 30th anniversary, four emergency service cyclists and the Lockerbie academy headteacher will complete the journey that the 35 Syracuse students never completed. The challenge over 3,238 miles from here in Scotland and across the United States will finish at Syracuse university. It will help to raise funds for Soul Soup, a charity that is based in the region and does excellent work to help young people who have mental health problems. Such challenges and fundraising ideas are the positive legacy of such an horrendous event—people come together and help others in their greatest time of need. Nowhere epitomises that spirit better than Lockerbie and across Dumfries and Galloway. Yet

again, we have people going above and beyond to help other individuals.

I wish the cycling team the very best of success with their cycle ride and I encourage everyone to get behind such a wonderful cause. As Oliver Mundell said, the motto goes, “Forward Lockerbie”.

17:26

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I declare an interest as a member of the Justice for Megrahi campaign. I congratulate Oliver Mundell on securing the debate and welcome his so-called Syracuse team to the gallery.

It is important to recall that dreadful night nearly 30 years ago, with the deaths of so many people. They included the young students who will be commemorated on the cycle journey. Their lives ended tragically, but now the cyclists are taking the journey to the destination that those students never reached. We are also reminded of the 11 Lockerbie residents who died that night, and the actions of the professionals who, through their sensitivity and kindness, then and over the years, have created a bond across the ocean between the families of those who were killed that night.

Lockerbie, like Aberfan before it and Dunblane, never wanted to be in the headlines for being a graveyard for so many, but it has dealt with the atrocity with grace and dignity. It should not have been Lockerbie, of course. The delay to flight 103 meant that the bomb, which was probably intended to detonate over the sea without evidential trace, did so over acres of bleak winter Scottish countryside.

Although I have nothing but admiration for the Lockerbie community, I feel that no line can be drawn under that night until the conviction of Abdelbaset al-Megrahi is finally and fully tried on a last appeal. Members will recall that a second appeal on a referral from the Scottish Criminal Cases Review Commission was abandoned by Megrahi. In my view, that was to secure his transfer from Greenock to Libya to be with his family as he succumbed to terminal cancer. The evidence has not been heard to this day.

I met him three times, and he made it clear at our last meeting that it was not for himself but for his family that he wished his name to be cleared. He did not want the name “Megrahi” to forever be part of the Lockerbie atrocity. At this moment, a third application for review, which has been lodged by his family, is in process with the Scottish Criminal Cases Review Commission. I have been told by the SCCRC that the application has passed stage 1; in other words, the commission has accepted his reasons for abandoning the

second appeal—in other words, because he thought that would help to secure his release. The process is now at stage 2; that is, the substance of the grounds for a new appeal are being considered. The commission hopes to report by summer 2019.

In the meantime, yet to be completed and sent to the Crown Office is the separate police-led Sandwood inquiry into the actions at the time of police, prosecutors and forensic officials. The inquiry, which is investigating claims of attempts to pervert the course of justice prior to the Camp Zeist trial, started in 2014. Pronouncements have been made on its imminent conclusion, which has been much postponed. Although the SCCRC could conclude its findings without that report, I have no doubt that it would be difficult for it to fully conclude without it. Sandwood’s—to be kind—slow progress is cause for concern, because 30 years on, justice delayed is justice denied for the people of Lockerbie, the Syracuse students, every other one of the 270 who died and their families and friends—and, perhaps, even the Megrahi family.

17:30

Colin Smyth (South Scotland) (Lab): I begin by declaring an interest as my wife is a teacher at Lockerbie academy. I also add my thanks to Oliver Mundell for his motion, which reflects on the tragic events of 30 years ago, on 21 December 1988, when 259 passengers and crew along with 11 residents of Lockerbie lost their lives in the bombing of Pan Am flight 103.

The motion rightly urges us to recognise the truly humbling response of the community and emergency services to the tragedy at the time and since. Like other members who live in Dumfriesshire, I have met many of the people who responded at the time. My then neighbour was a nurse who responded to the messages from Border TV that flashed up on our TV screens that evening asking all medical professionals to report to Dumfries and Galloway royal infirmary. Given the finality of events, sadly there were no survivors for her to treat.

A family friend, who was a council catering worker at the time, helped to feed hundreds of rescue workers over many long days and evenings. There was also the local newspaper photographer, whose home overlooked Lockerbie, and whose photographs appeared, with no personal gain to him, on the front pages of newspapers across the world the following day.

I could go on and on about the remarkable people who were at the sharp end of the response to the Lockerbie bombing from the community and the emergency services, many of whom worked

tirelessly for days on end, trying to cope and helping others to cope with the magnitude of the destruction that they faced. It is right that we recognise them. The organisers of the cycle to Syracuse are to be congratulated for doing just that as they embark on the 3,238 miles to Syracuse University, which is involving the community, especially hundreds of young people, every step—or should I say, every pedal—along the way.

Remembering and paying appropriate tribute is what the people of Lockerbie have always done. A visitor to the town will see the peaceful memorials to the people who lost their lives located in Sherwood Crescent and Rosebank Crescent, and the memorial garden in Dryfesdale cemetery. In 2003, the community developed the former caretaker's house at the entrance to the cemetery to make a visitor centre to provide a space for visitors to reflect, as well as for exhibitions to chart the proud history of Lockerbie. Volunteers at the centre have played a quiet but important role in helping those who lost loved ones to grieve, to find peace and to explore Lockerbie and the surrounding area.

In the town hall at the centre of Lockerbie, visitors can see another memorial—the dramatic stained-glass window that depicts the flags of the 21 countries that lost citizens in the bombing.

It is not just about physical memorials. As we have already heard, a lasting legacy has been formed through the Syracuse scholarship between Lockerbie academy and Syracuse University, which lost 35 of its students in the bombing. Every year, the scholarship allows two students from Lockerbie academy to spend a year at Syracuse before they begin their university study. In addition to the two Lockerbie scholars—who are Joe Holland and Harriet Graham this year—35 remembrance scholars study at Syracuse University each year.

In 2003, the then rector of Lockerbie academy, Graham Herbert, was recognised at Syracuse University with the chancellor's medal for outstanding service, and this year his successor Brian Asher will be one of the five who cycle from Lockerbie to Syracuse, thereby adding another fitting legacy by raising money to provide vital mental health counselling services for local young people.

It is worth reflecting on the fact that the outward-looking international focus of the town's academy and young people lies behind the strong links that have been fostered by the tragedy of 30 years ago. Next year, the academy will celebrate a decade of its strong partnership with Thawale primary school in the Mulanje district of Malawi, including raising funds for the development of a Mary's Meals feeding station at the school and the

setting up of a scholarship programme to support a number of pupils at Thawale through to secondary education.

For 30 years, young people have also been at the heart of the development of the wonderful Eskrigg reserve on the edge of town by the Lockerbie Wildlife Trust, led by former principal teacher of biology at Lockerbie academy, Jim Rae, who taught students biology at the reserve for two decades.

Lockerbie is also famous internationally for its love of curling. It is the home of one of Scotland's oldest curling rinks and has given rise to world and European champions and Olympians of all ages.

I make those points because, although it is so important to reflect on the tragic loss of the Maid of the Seas over Lockerbie in 1988 and how it will, of course, always be part of the town's story, we should also recognise that, 30 years on, there is so much that is positive to reflect on about the town of Lockerbie, which is a vibrant, proud and forward-looking community.

I wish all those who are involved in the cycle to Syracuse all the best and good luck.

17:35

Emma Harper (South Scotland) (SNP): I congratulate Oliver Mundell on lodging the motion on the cycle to Syracuse to mark the 30th anniversary of the Lockerbie disaster. I cannot believe that it is 30 years since Pan Am flight 103 crashed on the town of Lockerbie and the surrounding fields on 21 December 1988, just before Christmas.

Oliver Mundell's motion, and indeed his speech, show that while we remember and reflect, we can still look forward. I acknowledge the cycle charity ride—the Lockerbie memorial tour 2018—from Lockerbie to Syracuse by a team that includes members of the Ecclefechan-based cycling club, the Fechan Flyers. It is worth noting that, as Oliver Mundell and Joan McAlpine mentioned, many children will perform a virtual cycle ride. That is testament to the resilience that occurs following adversity.

Oliver Mundell's motion mentions the police, ambulance, fire and mountain rescue services—all were involved. I commend all emergency services personnel for their current work; I also commend all who took part on that night and in the subsequent hours, days and weeks following the UK's worst terrorist air disaster.

It was an extremely tough time for many. Last year, I heard details from one of the fire and rescue service personnel who attended that night and on the following days and who chose to share

his very personal, often quite emotional, recollections with me.

While reflecting on the event myself, I thought about tragedies and disasters that occur across the world. We often hear people state exactly where they were the exact moment when they heard about a particular event. That had me thinking a lot this weekend about where I was at the time of the disaster 30 years ago. I have a couple of recollections that I have been reflecting on. One recollection is from a dairy farmer, my dad, and the other is from a nurse—me.

My dad said that he was “checking a coo out in the front field” that was about to have a calf when he heard a boom or a low sound that he described as “mebbes an explosion”. Our family home is quite a few miles—almost 8 miles—from the Tundergarth site and Lockerbie, but could my dad have actually heard the bomb go off from 8 miles away?

Just after 7.30 pm on that night, I received a phone call at my flat from the operating theatre manager. I was within walking distance of the royal infirmary. “We need you to come in,” the manager said. “There’s been a major trauma—a disaster. The hospital disaster plan has been activated. We don’t know what’s going on yet but it may be a plane crash—it may be military”.

My role was to help set up the operating rooms—theatre 1 for trauma; theatre 2 for trauma; theatre 3 for orthopaedic trauma; and theatre 4 for minor injuries and suturing cuts and wounds. We were told to prepare for and expect many trauma patients and cases. We got the rooms ready and we waited and waited, but the trauma patients did not come. Hundreds were dead—later, we heard that 270 people lost their lives that night.

That experience of preparation, which was calm, organised and methodical, helped me years later when the massive Northridge earthquake happened in 1994. As a young, new migrant to the USA, I was able to work with professionals from all over the world to care for victims of the Northridge disaster. Perhaps those professionals also came from 21 different countries, like the people who lost their lives at Lockerbie.

I have a comment about the shepherd’s crook that will make its way to the remembrance service at Syracuse University, taken by members of the core cycling team to mark the 2018 remembrance week. I love the fact that wood sourced from Tundergarth has been made into a shepherd’s crook by members of Lockerbie’s men’s shed. The bike ride and the shepherd’s crook are so symbolic, so human and so important.

I recognise and acknowledge the role that Syracuse University plays in providing a focal point for many of the families who were affected,

maintaining an archive and continuing to foster links with the town of Lockerbie and Lockerbie academy.

The fantastic motto of the scholarship remembrance programme is “Look back and act forward”, and members have mentioned the town’s motto, “Forward Lockerbie”. Those are apt terms for us to think about after 30 years.

I again thank Oliver Mundell for bringing this important debate to the chamber and I echo his words.

17:40

The Minister for Community Safety (Ash Denham): I, too, thank Oliver Mundell for securing the debate and for his moving speech. I wish him well with his tandem ride, when the time comes. I thank him for providing the Parliament with the opportunity to pass on our best wishes to those who will take part in the Lockerbie memorial tour later this month. I add my voice to that of those who have welcomed the team to the public gallery. The debate has been a very good and thoughtful one, with thoughtful contributions from all members who have spoken. I thank them all for taking part.

As we have heard, the event marks the 30th anniversary of the bombing of Pan Am flight 103, which remains the worst terrorist attack ever perpetrated in Scotland, with 243 passengers, 16 crew and 11 people on the ground murdered on 21 December 1988. It is important that we do not forget the pain and suffering of the families and friends of those who died that night. The town of Lockerbie will never forget what happened that fateful evening. The memorial, the remembrance garden and the stained-glass windows at the town hall stand as a tribute to those who were killed in that incomprehensible atrocity.

Throughout what was a hugely complicated and traumatic investigation and trial, the families and friends of those who died carried themselves with great resilience and dignity. People from across the world were affected by the tragedy. The passenger list included people from 21 different countries and, as the 30th anniversary approaches, our thoughts are with them. Many of those who were on board were heading back to the United States to celebrate Christmas with their families. As we have heard, the bombing claimed the lives of 35 students from Syracuse University—35 young people whose lives were cut short in their prime.

Out of that horrific tragedy has come an outward-facing spirit of friendship and companionship among the people of Lockerbie. The six volunteers who are taking part in the US leg of the cycle challenge will ride from the

Lockerbie cairn at Arlington national cemetery to Syracuse University and will arrive in time to join the university's annual remembrance ceremony. That reflects the close links that have been formed between the town of Lockerbie and Syracuse University, which continue to this day.

In the aftermath of the Lockerbie bombing, the Lockerbie and Syracuse University Scholarship Trust was established. Each year, it gives two students from Lockerbie academy the opportunity to attend Syracuse University for one academic year, with Syracuse University and the trust jointly meeting the costs of their attendance. Since the trust was established in 1990, 58 students from Lockerbie academy have spent a year at Syracuse University, giving those students an opportunity to extend their academic education, experience what life is like in another country and develop their self-confidence and independence—all things that those 35 Syracuse students had been doing before their lives were taken on that fateful night.

As we have heard, the motto of Syracuse's scholarship remembrance programme is "Look back and act forward", and the Lockerbie memorial challenge is acting forward by raising money to help young people closer to home. The money that is raised will go to support Soul Soup, a mental health charity that is based in the Dumfries and Galloway area. Statistics published recently in the Scottish health survey showed that 21 per cent of young people aged 16 to 24 reported that they had self-harmed. That highlights the importance of providing support to young people who are experiencing mental health difficulties. Soul Soup works in the Dumfries area to provide free counselling and support to young people in the region who may be in need of help, someone to talk to, referral to a specialist counselling or treatment service or advice and guidance as they navigate their way through the stresses and strains of growing up. The aim of the challenge is to provide sufficient funding to help place a dedicated Soul Soup worker at Lockerbie academy, to serve the school and the youth of the local Lockerbie community.

I would also like to highlight the contribution being made by the schoolchildren who are helping to meet the challenge of cycling the total distance of 3,238 miles between Lockerbie and Syracuse. Of course, we cannot actually cycle across the Atlantic Ocean, so the first part of the challenge has involved children from 12 local schools on their own bikes or on exercise bikes at school. They are seeking to complete the 2,568-mile combined cycle at events that began in September and will conclude with an event at Lockerbie academy on 10 October.

I wish the best of luck to all those participating in the Lockerbie memorial tour. On 13 October, the

team will set off from Lockerbie academy to ride to Edinburgh castle, accompanied by other cyclists from Lockerbie and members of the Ecclefechan-based cycle club, the Fechan Flyers. When they reach the castle, there will be a reception to welcome them and others who have helped in organising the event, which the Cabinet Secretary for Justice will attend. I hope that the weather holds good that day and that there is a southerly wind to help them on their way up to the castle, because that could be a difficult part of the ride.

In the spirit that has been formed from adversity, those taking part are truly looking back and acting forward in a very inspiring manner.

Meeting closed at 17:46.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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