

SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE

Wednesday 17 November 1999
(Morning)

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SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE **9th Meeting**

CONVENER :

*Ms Margaret Curran (Glasgow Baillieston) (Lab)

COMMITTEE MEMBERS :

*Bill Aitken (Glasgow) (Con)
*Robert Brown (Glasgow) (LD)
*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)
*Fiona Hyslop (Lothians) (SNP)
*Mr John McAllion (Dundee East) (Lab)
*Alex Neil (Central Scotland) (SNP)
*Mr Lloyd Quinan (West of Scotland) (SNP)
Mr Keith Raffan (Mid Scotland and Fife) (LD)
*Mike Watson (Glasgow Cathcart) (Lab)
*Karen Whitefield (Airdrie and Shotts) (Lab)

*attended

WITNESSES:

Margo Kirkwood (Communities Against Poverty Network)
Kait Laughlin (Communities Against Poverty Network)
Mary Patterson (Communities Against Poverty Network)
Bill Scott (Lothian Anti-Poverty Alliance)

COMMITTEE CLERK:

Martin Verity

ASSISTANT CLERK:

Rodger Evans

Scottish Parliament

Social Inclusion, Housing and Voluntary Sector Committee

Wednesday 17 November 1999

(Morning)

[THE CONVENER opened the meeting at 10:07]

Action Points

The Convener (Ms Margaret Curran): I welcome members to the meeting. Before I ask our witnesses to introduce themselves and so on, we must conduct a wee bit of bureaucratic business—there is a standard procedure for going through the committee's agenda.

Having looked through the action points from our previous meeting, I do not think that there is much that we need to discuss at the moment. Most of the points concern the processing of work. Do committee members want to highlight any of them, or shall we go through them one by one?

Alex Neil (Central Scotland) (SNP): I want to ask a couple of quickies. Has there been any feedback from Scottish Homes on the comparative cost analysis of private funding? Have we had a reply from the Minister for Communities on the mapping exercise?

The Convener: The letter is only a couple of days out. Martin Verity drafted it and I sent it, so the answer is probably no.

Martin Verity (Committee Clerk): We have received some information from Scottish Homes, but we have not received all the information that the committee seems to expect. We will look into the matter and pursue it with Scottish Homes.

The Convener: I understand that the housing reporter is continuing the work and that the meetings are being scheduled.

Mr John McAllion (Dundee East) (Lab): I have spoken to Fiona Hyslop about it.

The Convener: Fine. We have agreed a meeting of the anti-poverty strategy group—at last. Getting the five people together has been the most difficult aspect of that, but we will meet next week and report to the committee. Is there anything else?

Karen Whitefield (Airdrie and Shotts) (Lab): Is it possible to timetable, at some point in the near future, an opportunity for the full committee to formalise the role and remit of the reporter on the

voluntary sector, so that, after I have spoken to the relevant people, the group can get down to work?

The Convener: Martin Verity will consider our scheduling of meetings—the people whom we have invited and the time that we are committing—to establish when that can be appropriately squeezed on to the agenda. It might be when we are taking evidence from one outside agency rather than two. Martin and I will consider that.

Thanks very much, folks. Let us move to the substance of today's meeting—our first consideration of the Abolition of Poindings and Warrant Sales Bill.

Abolition of Poindings and Warrant Sales Bill

The Convener: The Justice and Home Affairs Committee is also meeting this morning to consider the bill. That committee might overtake us in the headlines, which, for politicians, is usually distressing, but we will have to learn to live with it. Alex Neil and John McAllion are co-sponsors of the bill, so this committee has an interest in the legislation.

I welcome the representatives from Lothian Anti-Poverty Alliance and the Communities Against Poverty Network. When you are giving your introduction, you might explain a wee bit about who is from which organisation and what the organisations are, so that we can begin to consider the issues. I invite you to give a brief introduction, after which the committee will ask you questions. You will have the opportunity to come back to us if there are other issues that you want to raise.

Bill Scott (Lothian Anti-Poverty Alliance): I am Bill Scott of Lothian Anti-Poverty Alliance. We are a local anti-poverty group, which comprises around 150 agencies that are active in anti-poverty work in the Lothians. Those agencies range from national organisations, such as the Scottish poverty information unit and the Scottish low pay unit, to local community groups that have no funding—groups of lone parents, old-age pensioners, disabled people and so on. We represent those who work with people who live in poverty and those who live in poverty.

I am pleased to be here today, as I think that this is what the Parliament is about—representatives of the people who elect the Parliament coming to speak directly to it. The bill directly affects the lives of those who live in poverty, so it is absolutely right that they should be here to give their opinion on it.

My organisation is a part of the Communities Against Poverty Network, about which Mary Patterson will say a little. The network has

members throughout Scotland, from the outer isles to the inner cities and from Thurso to Dumfries. It is representative of communities throughout Scotland that live in poverty. The committee has received a written submission that sets out our position in a wee bit of detail and I shall return to some of the points that are made in it. We thought that, to give a truer understanding of the way in which poindings and warrant sales affect people who live in poverty, it would be better for the committee to hear directly from people who have been affected by the process.

I have experienced the threat of poindings and warrant sales, but I do not live in poverty at the moment. The first speaker to put our case will be Margo Kirkwood. Margo comes from Paisley. She is a parent who is active in her local tenants association and community council. She is also a volunteer who works with people who have mental health problems and she is involved in trying to establish a local community arts project. She will detail her experiences of the threat of poindings and warrant sales.

The Convener: Thanks very much.

Margo Kirkwood (Communities Against Poverty Network): Good morning. Excuse my nervousness—I am somewhat overawed by the occasion.

We became council tenants in 1996. I had a history of depression, which I was learning to manage. We had the unfortunate experience of living next door to an anti-social neighbour. That involved damage to our car, which my husband needed for work, and threats of violence against the family, which caused me to become agoraphobic and depressed. We had to take out an overdraft to cover the costs of car tyres and have been unable to pay it off. At that time, I was unable to cope with anything; I could barely go outdoors. The pressures on my family were intense and we had got into debt through having to pay council tax and rent.

The effect of that was that, by the next year, I was not only mentally but physically ill. I was housebound for four months; my husband had to give up his job to look after the family until I had had an operation and recovered. We were on income support for three months of that period. My husband got back his job with the same employer, but on a reduced wage, and there was no way to deal with that.

We struggled on. Towards the end of 1998, I began to get better and I became able to deal with things again. The rent arrears became manageable and started to get paid on time. We negotiated, but the matter of the council tax was so terrifying that I just put the letters on the mantelpiece. I did not know what to do—I could

not pay the council tax bills. I rang the sheriff officers and they said that I had to pay £25 a week. I pointed out that, if I was paying £25 a week in arrears, I would not be able to pay the current year's council tax. That would mean that I would have to go through the local court system, which would have added 10 per cent.

10:15

The sheriff officers told me that they could charge us £30 a week. I accepted £25 because it was better than £30. We managed to keep up those payments for a while, until the budget. My husband is a truck driver, and the tax on diesel affected a lot of transport companies, his in particular—it lost a contract that was no longer viable because of the increased levy. He used to get an overnight allowance for sleeping in the truck, to be spent on food and so on, but that stopped. It could come to anything between £45 and £90 a week, depending on how many nights he was away. After a week's notice from the increase in the levy, that money was gone.

At that point, I got back in touch with the sheriff officers, because we were no longer in a position to pay the £25. They were not interested. I again pointed out that I could not pay the arrears and the current council tax charges. I asked whether there was a better solution.

I phoned Glasgow City Council's council tax department, and said the same thing. No dice—it was not interested at all. I phoned the people at Money Advice Scotland, who told me that the sheriff officers were not open to sympathetic negotiation, for want of a better expression; I was told to fill out an income-outgoing form, so that they could judge how much we could afford to pay. I did that, and they said that we could afford £15. That was still more than we could afford to pay for that year's council tax.

Another anti-social neighbour moved in, this time upstairs. The whole life of our family was disrupted, and we had four weeks with no sleep. Everything went out the window at that point: all I could do was campaign and pressure the council to end that inappropriate let. My family and I managed to achieve that within four weeks, but we were like zombies by then.

A week later, I failed the assisted rent arrears criteria, and was told that I had to pay £1,000 for the arrears. We borrowed money to do that. The same tactics were used: I was told that a full settlement would be required to avoid eviction, but when I phoned the council I was told that it would accept three months' rent and we reached agreement. However, I had to borrow the money to pay that to avoid becoming homeless.

The next thing was the council tax again. I was

phoned at 12.45 on a Saturday afternoon. At that point, I was barely managing to hold myself together. As women in this room will know—and it is probably the case in most households—it is the women who deal with the bills and such matters. All that fell to me, and I did not know what to do about it. I did not have the money to pay. The woman said to me, “Do you realise, Mrs Kirkwood, that we can sell your furniture?” I said, “Yes, but if you know that, why is there nothing that you can do to help?” It was difficult to cope with.

I got on to the people at Money Advice Scotland. They took my budget statements and took over dealing with the sheriff officers, because I cannot deal with them. I lose all sense. I cannot even speak to them.

Last Monday night, at half-past 7, I got another phone call from the sheriff officer. It was basically abusive. I pointed out that she was calling out with office hours and asked her to do me the courtesy of phoning between 9 and 5 o'clock. I can deal with things then. After 5 o'clock I can say to myself, “Right. That's it until 9 o'clock tomorrow.” That helps me to cope with the depression and the anxiety. It makes the situation manageable.

The woman on the phone had been really quite offensive. I asked her why she was phoning me, as I had passed the case over to someone at Money Advice Scotland precisely because I could not cope with the harassment and phone calls late in the evening. She said that unless I made a substantial settlement pretty quickly, I would be liable for the whole amount up to next May—the council is now trying to get what is not even due. The whole lot is going to be lumped together. It comes to more than £1,000. I do not know the exact figure. It will not stay in my head.

I feel so powerless. The situation is affecting the family. My husband and I argue, we do not go out, we have not had a holiday for 15 years and we buy clothes from the charity shop. My husband and I smoke, but I feel incredibly guilty about it. I argue with my husband over the price of a packet of cigarettes. The situation is causing a lot of tension. I do not know what to do. The thought of all my furniture being taken is terrifying. It is all that we have left, although there is not much of it and it is all second hand. My son says, “Mum, will they come and take my computer?” I paid the computer up on the catalogue. We do not spend a lot of money. We economise as best we can. A big expense such as a birthday or Christmas present goes on the catalogue, because then I have a year to pay, but buying a pair of shoes is a problem.

When I filled out my budget for the sheriff officers, the problem was clear. My husband earns £198.02 a week. If we were to pay all the bills, as we should, our outgoings would be £212. It is impossible. That is what gets me about warrant

sales. I have tried. I have phoned the sheriff officers. I have told them the situation that I am in. I have told them that I cannot pay the amount that they ask. I know that I owe them the money—I am not trying to deny that—but surely it is better to come to an arrangement whereby I can pay a regular amount on which I will not fall behind. There is no sense in being told to pay £30 a week if you can afford to pay it only for so long, because to be able to afford it you have to not pay other bills.

The fear that the situation instils in me is terrible. I have worked very hard to overcome depression and I have succeeded in that to a great extent. My husband cannot work any more hours. His doctor is telling him to take a rest, but how can he when we are under so much pressure?

I want to offer my support to the bill and to thank the committee for giving me the chance to say what I wanted to say.

The Convener: Margo, thank you very much indeed. You were extremely candid. Your evidence will be helpful to us in trying to understand exactly what is going on out there. We are intimidated by this atmosphere, too, but your nerves certainly did not stop you getting your message across.

Bill, shall we move on before we talk about the issues raised?

Bill Scott: We have one more personal testimony from Kait Laughlin, who is representing not only herself but her mother. Kait is from Partick in Glasgow and she is active in the West Glasgow Against Poverty group and in advocacy for people with learning difficulties, through a citizens advocacy project. She is a member of her local parents association and children's group.

Kait Laughlin (Communities Against Poverty Network): I apologise for being late. I missed the train that I should have got from Glasgow because I was up half the night crying with my mother who started talking about her experiences of warrant sales and could not stop. If I am bleary, weary and start greeting, bear with me.

My mother is 78 years old next week and has lived with the fear of warrant sales all her life. She still jumps when letters come through the door. When I asked her whether she would come through to speak to the committee, I thought that she might be intimidated, but she was not. She said that she was too ashamed to come to talk about this subject—that is the effect that it has on people. She wrote a statement for me, which I will read out—I wrote out part of it, but these are her words. I will probably greet, but I am not embarrassed about that if you are not. My mother said:

"I've never forgotten the day the Sheriff came to poind my furniture for a Warrant Sale. I was on Social Security and was paying other debts. I was robbing Peter to pay Paul. It's easy to get in a rut when you have no income coming in. It was not all my fault. My husband was supposed to be paying things. He took to do with all the money.

I had to go and get things to pay up because I had to get toys for the children's Christmas and buy bedclothes out of a warehouse, you see there were not any charity shops in those days. I am 78 years old, so you'll know the time I've lived in.

I cried all night when I knew the next day I would have a Warrant Sale."

That is what we were talking about last night. She went on to say:

"I had no one to turn to except the money lender and that was me back in debt. I still get the thoughts yet of that Warrant Sale, as that time the Sheriff came I felt that it was the end of the road for me. I prayed to god and I thought of my family. It was so shameful. I have never forgotten it—still yet. The furniture I had would not even have paid the Sheriff. I never forget—they put your name in the newspaper in those days. It was called the Citizen. I used to hate that paper as all the Warrant Sales were in it for every body to know your name. You could not speak to anybody about it because it was so degrading.

I'm lucky—I got the loan of the money at the last lap before the Sheriff came but it is still in my mind today. I believe if I had not prayed to god for guidance, I think I would have ended my life that night."

My mum started talking about somebody she knew, who lived in Great Western Road in Glasgow, who killed themselves because of the debt of warrant sales. I am sure that they were not the only one.

"It is awful to have a Warrant Sale when you could not help it. It's not that you don't want to pay. It's not your fault when you're getting demands from the warehouse and from everybody else—you're trying to pay but you have to feed your family and things get on top of you. When you have no one to turn to it's a nightmare. So they need to stop Warrant Sales. It's the last straw—drop the terrible way of taking your possessions—it's a terrible shame. It's stuck in my mind all those years and I cry when I hear someone is having a warrant sale. So bless you for stopping them."

She is being optimistic there.

I did not have time to write this out—this is her bit:

"I know they get a decree when you miss your payments weekly. But when you are in debt and trying to pay other debts that's when it's happening as you're getting demands from other debts. You're at your wits end trying to pay each of them because you do not know where to turn as you could not tell anyone so the only way was to go to the moneylender then the nightmare comes back again to try and pay them. It's easy to get in a rut but not so easy to get out of it. That's been my life and I don't want you to forget it."

That was her experience as an adult. My experience was of a child living through that. Even before you can speak, you know when your parents are frightened, you know when you are

told to shush and there is a knock at the door and you do not know who it is. You know when you are sitting still because you are afraid that somebody is going to knock on the door and that it could be the sheriff any minute. We lived through that all my life, and there are still children who are living like that.

My mum mentioned moneylenders a couple of times. I feel that poindings and warrant sales are a form of legalised loan sharking. I gather that the people who argue that the bill should not go through are saying that poindings and warrant sales work. They work because they terrify people; they terrify, intimidate, bully and harass people because they are poor. That is what loan sharks do—they intimidate and harass people and make an example of one or two of them. That is what happens with warrant sales—one or two people have warrant sales and the threat is enough to terrify everybody.

I have also experienced this as an adult. I left school at 15 and went to university as a mature student. Before I went to university, I had been working for years, during which time I had taken on some debts. While I was at university, I had no money. I ended up with a poinding on my house. I still have nightmares about that—I am not just saying that for effect. The threat of warrant sales still frightens me, as I grew up with it and experienced it as an adult. I am a single parent with two young children and, obviously, cannot pay my debts, so the threat is still hanging over my head.

Three generations have been affected by this. As a matter of principle, I do not tell my children to shush when somebody is at the door, but I am still frightened in case it is the sheriff. I do not think that the system works. I know what has happened to me. I have worked advising people on their debts, but I cannot cope with my own debts as I am so frightened—it is an emotional overload. The fear paralyses you; you do not sort out the problem sooner, because you are so frightened by all the threatening letters.

10:30

Bill Scott has suggested the analogy of a rabbit frozen in the headlights. I can advise other people what to do in such circumstances, but I cannot cope when I receive those letters and my emotions are involved. People would deal with their debts earlier if they were not so terrified. Statistics are being bandied about to show that people settle their debts after the threat of a poinding. Has anybody followed up cases six months or a year later, when people are paying money they cannot afford towards the first debt but have other debts, so the same situation happens time and again? I bet that the people who

want this bill to fall do not tell you that.

I have a wee statement to make—if the committee will bear with me. Here is a chance to send out a very clear message to people living in poverty. This is something practical and measurable that members can do. You can say that just because people are poor does not mean that it is okay to intimidate and humiliate them. It is not all right to harass and threaten them. When I went to university as a mature student, one of the first books that I encountered was called “Cycles of Disadvantage”. I am asking you to break the cycle of disadvantage, so that no more children grow up frightened and no more mummies sit at home frightened to open the door.

The Convener: Thank you very much Kait—that was extremely helpful.

I can sense by their body language that members are desperate to question you, Bill.

Bill Scott: I want to give Mary Patterson a chance to speak briefly. Mary works for the Communities Against Poverty Network, but before that she worked in local government.

Mary Patterson (Communities Against Poverty Network): I will concentrate on my work in local government. I was a council tax collector—for my sins. I had to speak to people who had difficulties in paying the council tax. They came to me because I had to follow the Government procedures of sending out notices to tell people that they had to come in and make arrangements to pay. Those people were experiencing many different forms of poverty. They were obviously trying to get out of poverty and to make arrangements to pay.

The system demands that, unless council tax is collected in the year for which it is payable, the matter is passed to the sheriff officer. If people fall behind and do not make payments, it is a case of two strikes and they are out: people no longer have the right to pay in instalments and must pay in full.

Once a summary warrant is raised, instead of supporting people in poverty—maybe by giving them a wee bit longer to pay—we punish the poorest people by whacking another 10 per cent on to their bills. When I used to put names up on the computer screen, I might find that people had fallen so far behind that they were paying debts from 1993—they were trying to clear each year's debts and their cases were being dealt with through the sheriff officer. Once matters have been passed to the sheriff officer, council tax collectors cannot give support, other than to suggest that people go to Money Advice Scotland. If people are in debt for one thing, we can be sure that they are in debt for something else.

People on income support told me that they wanted to pay their council tax through income tax. That can happen, but only after a warrant has been raised against them. There is no opportunity for people on very low incomes, who are desperately trying to clear their debts, to make such arrangements to pay before the stage at which 10 per cent is added on.

Nobody is saying that debts should be ignored. However, debt collection should not be punitive; it should be supportive. It should consider people's individual problems so that better arrangements can be made.

Bill Scott: Kait and Margo have made the case very strongly that the people we are talking about are not people who shirk their responsibilities to their local communities; they are exactly the sort of active citizens—people who are involved in their communities—that the Government wants to encourage. They represent tens of thousands of decent families who live on low incomes and cannot afford to pay their debts. Because of that, they face the threat of poindings each and every year.

Local authorities do not have a choice about whether to send a case to the sheriff officers: they must follow the legislation. They do not have a choice about whether to impose poindings and warrant sales: they must use every legal form of debt recovery that is available to them.

A total of 800,000 Scottish people are living on incomes that are at or below income support levels; 300,000 of those are pensioners and 118,000 are disabled people. Independent research shows time after time that income support is not enough to purchase an adequate diet. That is why those people are in debt. That is why they cannot afford to pay their bills. Is it not enough that they feel the shame of not being able to pay their bills, without the state endorsing that by publicly humiliating them? Humiliation is what people feel when sheriff officers come knocking at their doors to carry out poindings, to take their furniture, and to carry out warrant sales.

Poindings and warrant sales are the moral equivalent of the 18th century public stocks and scolding stools, which people had to sit in or be chained to, to be publicly humiliated. Poindings and warrant sales should go the same way—they should be consigned to the history books. I am asking the committee to help to create a modern and socially inclusive Scotland, which is what the Parliament is here to do. Get rid of warrant sales and poindings.

The Convener: Thank you very much indeed. That was a very substantial testimony. I will now open the discussion to members of the committee.

Mr McAllion: I think that you were arguing that

the evidence the committee has received from the Scottish Law Commission and the Scottish Executive is that poindings and warrant sales are effective because they make people pay their debts. It is interesting that you said that, when confronted with sheriff officers, people go to moneylenders. Some people argue that abolishing poindings and warrant sales would stop people turning to moneylenders because they would settle their debts normally through the councils. What is your experience of that?

Kait Laughlin: I think that that is absolutely true. I gave you my experience of what my mum has had to do. The idea that people who are living on income support can suddenly find the money to pay debts seems to suggest that people are withholding the money until they are threatened with a poinding. What is happening in practice is that people are being forced to pay sums of money that they cannot afford and are doing without food and fuel. They are doing without the basic necessities of life because they are bullied into paying, say, £15 a week—which is impossible for someone on income support. Someone who is living off £51 a week cannot pay £15 a week, but that is what is happening. People are basically starving to pay their debts.

Mr McAllion: Would you argue that poindings and warrant sales drive poor people into the arms of moneylenders?

Kait Laughlin: Absolutely. Without doubt.

Mr McAllion: So they achieve the opposite of what the Scottish Executive and the Scottish Law Commission claim?

Kait Laughlin: Absolutely. If you cannot find the money elsewhere, that is where you will go.

Mr McAllion: There is an argument that says that we should just leave poindings and warrant sales until there is a proper review of all debt recovery procedures. I noticed in your evidence that you specifically support this bill and feel that it should be pursued at the moment. I see that that is the view of all of the witnesses this morning.

Kait Laughlin: Yes.

Bill Scott: I would like to emphasise that point, John. About a month ago in Edinburgh, there was a meeting of about 30 representatives of the Communities Against Poverty Network from all parts of Scotland. They agreed unanimously that this bill should be supported. I have not yet spoken to one person who lives in poverty and who does not want the end of poindings and warrant sales.

Mr McAllion: I would like to thank you all for giving evidence—it was very moving and very effective.

Fiona Hyslop (Lothians) (SNP): I, too, want to thank you for giving evidence. It is difficult to talk about such a personal situation in a room like this. Kait, please convey our thanks to your mother for her testimony.

From your experience, is the pursuance of council tax the main reason for poindings and warrant sales? What other measures could councils take in the legal enforcement of debt recovery if this bill were to go through? What dangers would those measures present to people?

Mary Patterson: There are other ways, besides poindings, of recovering debt. For example, people are already having their wages arrested. In the council for which I worked, the sheriff officer arrested wages on Christmas eve because of non-payment of council tax. I was absolutely gobsmacked that anyone would do that; apparently, the reason was that people get two weeks' money at Christmas because everything closes. Such an action does not take into account the difficulties that people in poverty have at Christmas, with banks closing early and so on.

Other quite punitive measures such as arrestment of wages and bank accounts can be used to recover debts. Taking away the threat of warrant sales might allow people to make better arrangements to pay off their debts and to have more confidence about negotiating such payments with sheriff officers or other agencies. Most people want to do that, because those problems have a serious effect on other aspects of their lives.

Bill Scott: As a former welfare rights worker, I know that people want to pay what they can to get rid of their debts. Councils use benefit recovery. However, people can have multiple debts. For example, although successive years of council tax debt can be taken out of benefit, community charge debts are treated separately, which means that even though benefit recovery is in place, sheriff officers can still threaten to carry out poindings and warrant sales.

Even though people are paying from their benefit what the state believes is the maximum they can afford, the state is also saying, "You have to pay more towards this other debt and you have to pay us directly." People are already paying the £10 or £15 a week that they can afford and, as a result, end up going to moneylenders. They make extortionate credit agreements that they do not understand, which means that they end up repaying the debt at an annual interest rate of 35 per cent.

I will emphasise Mary's comments. Immediately after Christmas, we see the debris left behind by people trying to live on inadequate incomes and to meet all their responsibilities. They just cannot do it. The state should not be holding this threat over

their heads when they are already paying through their benefit the maximum the state believes they can pay.

Robert Brown (Glasgow) (LD): For the record, I should mention my membership of the Law Society of Scotland, of the Scottish Law Agents Society and of Ross Harper & Murphy. I do not think that that gives me an interest, but it should be stated.

Some interesting points have come out of the discussion. I want to widen the scope a little from the experience of individuals. As you know, people's basic furniture is exempted from poinding. Under the current law, what things are typically poinded?

Bill Scott: What tends to be poinded are electrical goods—compact disk players, video recorders, televisions and so on. However, nearly all debtors with whom I have dealt have no understanding of what can and cannot be poinded. They worry that their children's computers or beds will be taken and sold, because they retain a folk memory of what warrant sales used to involve.

Although some people seek advice, others are paralysed and do not. Unfortunately, the sources of good advice are becoming fewer, as local advice centres up and down Scotland are closing. That means that many people do not have access to the advice that they need. People live with the dreadful fear that things that are really precious to them—things that have been handed down by their parents or grandparents—will be taken.

10:45

Robert Brown: I take the point about electrical goods, but is it common for heirloom articles and so on to be involved in poindings? It is not my experience that that is the case.

Bill Scott: Parts of a three-piece suite, for example, might be taken. It depends on whether the sheriff officer considers that an article is of essential use in the household. If there are two people in the house, they might be allowed to keep the two armchairs but the settee will be taken away. Things that people regard as necessary around the house can still be taken.

Robert Brown: May I suggest that there is a distinction between the current state of the law and people's perception of it?

Bill Scott: There is a huge distinction, but I do not think that the perception to which you refer can ever be overcome. People who live in communities of the sort that we are discussing will never become legal experts who know automatically what their rights are. The state has an obligation to protect people from unreasonable fears by removing the cause of them.

Kait Laughlin: We should not forget that the present legislation allows sheriff officers to kick people's doors in, humiliate them and value the things that are important to them at a pittance. That happened to me when I was a student at university. I was in tears, frightened to open the door, when the sheriff officer shouted through the letterbox, "We know you're in, we know you're in. If you don't let us in, we'll come back and kick the door in." I let them in and sat by while two men walked through the house, sneering at my possessions and placing derisory prices on things that I valued. That is not just perception—it is the reality.

Robert Brown: I have two other points. The first relates to the powers that exist under the current law to have new applications for warrant sales recalled. The Executive document suggests that those are hardly ever used. As advisers and people involved with the groups concerned, is it your perception that those powers are known about either by individuals or by advisers?

Bill Scott: Advisers certainly know about them, and people who seek good advice about what the sheriff officer can and cannot do usually get it. Quite often, that advice will enable them to say to the sheriff officer, "You can't take that," or, "You can't value that." The problem is that people who do not seek advice do not know what their rights are, so they will not challenge what the sheriff officer is doing.

Robert Brown: Leaving aside the recovery of debts, is there a more general problem of availability of advice? From what you are saying, there would seem to be a mismatch between the number of people who are caught up in this kind of situation—most of whom do not understand their legal rights—and access to and people's willingness to seek advice. Can you say anything useful about that? Regardless of what happens to this bill, we will need to consider the issue of advice.

Kait Laughlin: The problem is that, regardless of advice that their most basic goods cannot be taken, people are frightened. They simply cannot pay. There is no point giving people all the advice in the world when they are constantly getting letters through the door telling them to pay amounts that they do not have. That does not work. I can prove that from whatever statistics you have been given.

Mary Patterson: Taking away the pressure of the warrant sale—one of the most threatening things in the letter—would allow people to approach collectors for help and to renegotiate their repayments. The warrant sale is a barrier to speaking to collectors, because people are frightened even to get in touch—collectors will know that they are there and will come and get

them.

The Convener: We all know that there is a problem with access to credit for ordinary families—whole areas can be inappropriately blacklisted—but that is another issue that needs to be examined. Some of the evidence that we have received against the bill says that less credit will be available in poorer areas if warrant sales and poindings are abolished. People argue that while the bill may introduced with good will, it will cause more problems because credit companies will no longer provide services. What is your experience of that?

Bill Scott: By and large, credit companies use the threat of a warrant sale but rarely use it. The reason for that is quite simple and is to do with the laws on bankruptcy in Scotland. If a credit company enforces an action through a poinding or a warrant sale, the person can go for personal bankruptcy, but they cannot do so until enforcement action is taken. The threat of a poinding or warrant sale is constantly present, but credit companies do not use them much because they do not want people to go for personal bankruptcy—if they did, the £4,000, £5,000 or £6,000 of debt would suddenly disappear. Credit companies would never see the money because there would be no assets to recover. The availability of credit is another issue. I could speak for hours about people being offered credit on ridiculously easy terms when they are living on pitiful incomes. The credit companies should know better.

The Convener: We have flagged that up as an issue that the committee needs to examine as part of its work on social inclusion and the anti-poverty strategy. It is an issue that will come back, so you are welcome to submit your views.

Kait Laughlin: The credit companies' argument is absolutely immoral. Couched in other language, what they are saying is that unless they continue to have the legal right to frighten people, they will not give them credit.

Mr Lloyd Quinan (West of Scotland) (SNP): I apologise for being late and thank Kait Laughlin and Margo Kirkwood in particular for their evidence. My question is for Mary Patterson and Bill Scott. Do you agree that warrant sales seldom recover the amount that is being sought and, in particular, that they are used on people in poverty, often to recover council tax and water rates? The actions are carried out by councils not to recover the cash, but to meet the requirements of central Government. Warrant sales seldom recover the full amount.

Bill Scott: It is obvious that people who live in poverty have very few possessions that are worth poinding. The statistics are available from the

Scottish Executive: 85 per cent of poindings and warrant sales recover nothing towards the original debt. I am sure that that figure rises to 100 per cent for warrant sales on people living in poverty. The sheriff officer's fees may be partially recovered, but that is all and I believe that that is why poindings and warrant sales occasionally take place.

I cannot see why a local authority would have an interest in not recovering any of the debt, but carrying out a warrant sale. Because the debt is passed to the sheriff officer for recovery, the local authority loses the ability to say that it does not want a warrant sale to go ahead. There are fewer warrant sales—500 in the most recent year for which figures are available—than poindings, but the threat of the warrant sale has an effect on people. Margo and Kait made that point very effectively.

The warrant sale is a legalised form of loan sharking. People are forced into giving back more than they can afford because of the threat of a warrant sale being carried out, and of losing something that is much more valuable than the £10 or £15 that will be made through selling the TV, video recorder or CD player.

Mary Patterson: The poverty that people are in is just perpetuated by warrant sales. To stop them going ahead, people get into deeper poverty. It is robbing Peter to pay Paul, but why should Paul always come off best? Why is Paul the sheriff officer? It is sheriff officers that seem to have done very well out of warrant sales, back to the days of the poll tax, when sheriff officer jobs were being advertised. They seem to be the only ones to make anything out of this, and they are doing so off the backs of people in desperate poverty. How those people make their money is just immoral.

Margo Kirkwood: What gets me is that they seem to take great pleasure in intimidating people. The tone of voice that these people use is insulting, and I take offence at it. I feel that I am articulate and reasonably intelligent, but I dread to think about the effect that these people have on a person with learning disabilities or on an old wee person. It is horrendous that they should have the freedom to treat people with such disrespect.

I am writing a complaint to them, because the first line of their charter says that they treat their customers with respect and courtesy. They certainly do not.

The Convener: That is one of the things from your evidence, Margo, that I want to pursue. Sheriff officers were phoning you out with normal working hours and were abusive on the phone.

Margo Kirkwood: Yes.

The Convener: We have been told, in some of

the evidence that we have received, that that does not happen. We have been told that, since 1987, there have been considerable improvements, and the problem is just that people do not know about them. If you have evidence to the contrary, we are interested to hear it.

Would you describe the phone calls you had as abusive?

Margo Kirkwood: I was quite taken aback. I had done what I could; I was waiting to hear back from Money Advice Scotland and I was frustrated. It was right before "Coronation Street" as well—that is a bad time for me, and I was wondering what the lady was doing phoning me again at a time like that. I had complained about them phoning me at a lunchtime on a Saturday. I politely asked her to do me the courtesy of phoning me during office hours, which is when I deal with my business. I asked her why she was phoning me at all when I had already passed the matter over to the money advice people. The tone of her remarks was to say, "Well, look, Mrs Kirkwood, you know that you've not stuck with this outwith this agreement." I replied, "No, I didn't agree to pay you that sum; I told you I couldn't afford to pay you that. I'm not failing on the agreement." She said, "That's just what you say." I said, "I can't afford to pay it." It went from there to the point where she was shouting me down over the phone, and I hung up, shaking.

The Convener: Is your experience typical, Margo?

Bill Scott: As I said earlier, I too have personal experience. I worked in the citizens rights office in Edinburgh 10 years ago. The office was closed due to a funding cut, and I was made redundant. At the time, I had been one of those who opposed the poll tax who could afford to pay but who, in solidarity with those who could not afford to pay, had not paid. I put the money aside, in a bank account, ready to pay on the fateful day when the council caught up with me.

I was unemployed for three months, and then got a part-time job. I was not in full-time employment again for about six months, and about £2,000 of my personal savings were wiped out to pay my mortgage and the credit that I had received when I was in work. That is what many people do: they take on credit when they are in employment, which they can afford to do, but they cannot afford it if they are out of work.

After that, we were harassed for the next three to four years to give that money back. It took us a long time to return to a position where we could afford to pay. Throughout that time, we got phone calls in the evening; people turned up on the doorstep in the evenings, at the weekends and so on. I was in a similar state to Kait and Margo. We

had to tell our daughter, "If a strange man comes to the door, don't just say that mummy and daddy are in."

No one should have to tell their kids to say that their parents are not at home. People do not want someone else to come in and poke through their personal belongings to see what they can take away to sell—no one should be subjected to that.

Mary Patterson: I also have experience of sheriff officers phoning at night, looking for my daughter for poll tax arrears. Fair enough—that is her responsibility, but they did not identify themselves. The caller said, "Hi there. Is Victoria in?" I asked who was calling and was given only a first name. I told my daughter that there was someone on the phone for her, but when she answered the phone she was told, "This is the sheriff officer and we're after you for poll tax and you must pay this." She was given terms that she must meet and came off the phone quite shaken. I dialled 1471 to find out the sheriff officer's number as I thought that that was an intrusive, fly way of contacting people. However, the number had been withheld, so that people could not shout abuse back or tell them, "This is a ridiculous way of doing this."

I am not saying that sheriff officers should not be after my daughter for her poll tax arrears, but they are intruding by coming to people's houses at night. As Margo said, people cannot get hold of them between the hours of 9 and 5 and yet they phone people at home to ask them to come in half an hour early the next day so that they can pay the sheriff officer something. There is no way we can do that, yet we receive these intrusive threats over the phone in our own homes at night.

11:00

Margo Kirkwood: In the last phone call on the Monday evening, I asked the girl why she was phoning me at that time of night. She said that they worked until half past eight, that the numbers come up on a computerised system and that it is an automatic process. I am sure that the committee would be able to clarify that process with the sheriff officers.

The Convener: That might be an interesting approach.

Alex Neil: I should declare an interest; I am a co-sponsor of this bill, along with John McAllion. I am a co-sponsor because I have direct experience of helping people who have suffered warrant sales. Three things strike me about warrant sales. First, the poorer sections of the community bear the brunt of the warrant sales regime, which has been proved to be the case by what the witnesses have told us this morning. Secondly, the major beneficiaries of warrant sales are the sheriff

officers, who act like bully-boys—warrant sales are a 'bully-boys' charter. Thirdly, crooked moneylenders and loan sharks are also major beneficiaries of the system.

In *The Scotsman* this morning, some of the evidence that has been submitted to the Justice and Home Affairs Committee is quoted. I want to quote a couple of comments from the article and ask the witnesses for their reaction.

A fair amount of written and oral evidence is being submitted to three different committees of the Parliament and a pattern is emerging. Well-heeled organisations such as the Law Society of Scotland, the Scottish Law Commission and the Scottish Executive, who employ people on £40,000, £50,000 or £60,000 a year, are against the bill; the people who represent the poorer sections of the community and who recognise their difficulties support it.

As I said, I want to quote from *The Scotsman* article. *The Scotsman* is always reliable—as is *The Herald*, of course. The Scottish branch of a London-run organisation—the Institute of Revenues, Rating and Valuation—claims in its submission that:

"the abolition proposal is ill-conceived, borne of political expediency and made in ignorance of the way debt collection procedures operate".

It continues:

"The paper states that the threat of poindings and warrant sales—involving the sale of a person's household goods—is still the lever that 'unlocks' payment and adds: 'To abolish that threat without replacing it will present a real and substantial threat to the effectiveness of the whole debt recovery system in Scotland'".

The witnesses' evidence is that warrant sales only transfer debt from one organisation to another, which gets people deeper into debt. What is their response to the finance officers' claim that we are all ignorant of the debt recovery procedures in Scotland?

Bill Scott: We keep coming back to the fact that you cannot get blood from a stone except by one method—to make people crack and humiliate them. People can get money to pay a debt, but only by getting in debt with someone else. There is no escape from the threat of warrant sales for the person living in debt.

However, there are other ways of collecting debt. It can be recovered from people's benefits or wages. If the person owns a house, an inhibition can be placed on the sale of the house. Those methods are fairly substantial and cover most of the population.

We have not emphasised strongly enough the fact that people with money can afford legal advice to help them avoid their responsibilities. People

with no money have no possibility of escape. They are like the rabbit in the headlights: fate is bearing down on them and there is nothing that they can do about it. There were 20,000 poindings last year, probably the same number in the year before that and so on. We are talking about an enormous number of people, some of whom will have experienced more than one warrant sale.

Warrant sales might be crudely effective in recovering debt, but that is only by robbing Peter to pay Paul.

The Convener: I would like to ask about strategies to assist those who are in debt. I take the point that you made about the other possibilities for collection of debt, but surely a civilised society should find a way to help people who are in debt but who are unable to manage their debts. We know that such assistance would not be a charter for people to avoid paying their bills, and we should make that clear. How could we help people whose backs are against the wall?

Bill Scott: There are many ways. I would like a credit union to be established in every community in Scotland, with the backing of the Executive. I am a member of a credit union, but only because my wife works in local government. I could not otherwise have joined a credit union because I do not live in one of the few areas that have one. My money could help someone who is living in poverty—my savings could be used as collateral for them to borrow against. That is real social credit.

However, to use a credit union, an individual must have some money to save. There is a limit to what the Government can do about the amount of money that comes into people's homes and I acknowledge what the Government is doing to help people into work, but some people—pensioners, disabled people and income support claimants—live on incomes that barely allow them to feed themselves.

Kait Laughlin: I am involved in an anti-poverty group in Partick that is trying to set up an advice centre—something that Partick has not had since the previous one closed down years ago. I would like there to be a nationwide network of properly funded advice centres.

Bill Scott: As an ex-advice worker, I keep in contact with my old friends. The Citizens Advice Scotland network of bureaux has contracted rather than grown over the past few years. There is no less poverty than there was several years ago, so there is no less need for those bureaux. At the same time, local government welfare rights teams have contracted—they have not grown to meet the extra demand that is not being met by the voluntary sector. The strategic authorities that existed previously could afford a large welfare

rights team. Authorities such as Strathclyde and Lothian had large teams. However, Midlothian has a team of three workers. That team cannot act strategically; it cannot even deal with the number of cases that it receives.

There must be proper funding for advice on money and debt so that people can receive good advice on their legal rights and can find an organised way to structure their debts and to repay them. Creditors respond well to such a structured response, but if there are fewer people who are able to give that advice, there is no way out. It is also important to get rid of warrant sales, because they really do not help people.

The Convener: I take your point. I am not trying to suggest otherwise.

Karen Whitefield: Alex Neil made a good point about the lever being used as an excuse. From the moving evidence that Margo Kirkwood and Kait gave this morning, and from the contact that I have had with constituents, I believe that most of the people who live with the threat of warrant sales are trying to repay their debts.

You have said that dealing with debt is the most urgent and pressing matter. How many of the people who face warrant sales and who come to you for help are genuinely paying their debts? It is my perception that people are attempting to pay off the debt in small amounts, and that warrant sales are not helping. Is that your perception? Are the people who come to citizens advice offices attempting to pay off that debt?

Bill Scott: Yes. I have not come across anybody who is not making an effort to pay off his or her debts. They are aware of the debts and they want to pay. However, the demands that they face are usually unreasonable. You have already heard that someone who is living on £51 a week is being asked for £15 a week. That is just impossible. They can afford £2 or £3 a week, and are willing to pay that, but that is not acceptable to local authorities. Threats of poindings and warrant sales are then used to increase the amount that will be given.

I have seen families break up through debt and particularly as a result of the threat of a poinding or a warrant sale, which just adds to the problems in communities. Suddenly the local authority has two households to house, rather than the one it had to house when a couple was together. We are destroying families by bringing this threat to bear on them.

Mary Patterson: I would like to add that people are desperately trying to pay off their debts. The reason for their appearance at the sheriff officers office is that they have fallen behind on payments, because of the poverty in which they live. However, the sheriff officer will not accept that

people can fall behind on payments. People cannot say that they cannot pay for the next three weeks because a big bill has arrived, but that they will start paying again. If people break an agreement, a warrant is enforced on them and there is no negotiation.

If the warrant sale is removed, people will be able to negotiate payment of the debt. There are times when people will not meet the payments—that is why they are in debt in the first place. The abolition of the warrant sale will give them the opportunity to get in touch with the authorities without fear and to say, "Something has happened and I will not be able to pay for the next two or three weeks. Will you accept that I will start paying again when I can?" It will give people the opportunity eventually to get on top of their debts without fear.

11:15

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I thank all the women for their moving evidence, and I appreciate their frankness with the committee. The message that is coming through is that the lever that gets people out of debt is confrontation of those debts. However, the warrant sales system instils fear in people and does not allow them to confront their debts. Instead, they put the problem to one side and hope that it will go away.

I was interested in the point that Mary Patterson raised. My experience in local government has taught me that this is a mountain that is impossible to climb. Once someone falls into arrears with their council tax, the situation is out of everybody's control because it is impossible for someone on a low income to confront that debt. Do you agree that we need a legislative change to change the methods for collection of council tax?

Mary Patterson: Yes, we need to consider legislation. If people want to pay their debts through their benefits, they should be able to do so. I am talking about a voluntary arrangement, because people have their own ways of managing their budgets.

Some people were falling behind in their council tax payments because the payments that they made were not high enough to meet the debt.

After the second reminder to bring the payments up to date, one loses the right to pay by instalments, and 10 per cent is whacked on to the debt right away. The only advice that we could give to people was to pay as much as they could, so that less would be added to the bill in the end. If we could advise people to pay this year's council tax and a bit of their arrears, they would be able to clear this year's payments and to clear their arrears a bit at a time. As it is, the whole debt is

dealt with by a sheriff officer and a debtor must pay the earliest year's arrears first. We think of payments being made on the never-never in connection with credit companies, but that is payment on the never-never of a Government tax by people in poverty.

Cathie Craigie: The person who owes the tax does not win. The council does not win. The only winner is the sheriff officer, because the local taxpayer is keeping the sheriff officer going.

Mr McAllion: Bill Scott mentioned the fact that local authorities have no choice but to use every form of debt recovery. What do you think of the stand taken by West Dunbartonshire Council, which said publicly that it would not use poundings and warrant sales?

Bill Scott: That is an interesting standpoint that might get the council into trouble with the auditors.

Mr McAllion: Would not it be helpful if other councils in Scotland followed that example?

Bill Scott: I would like that to happen. However, councils will be aware that the auditors will point out that they are not using all the available methods, as they are obliged to do, and are therefore not discharging their legal responsibilities. As I understand it, the councils themselves could be surcharged for failing to act on that basis.

I support West Dunbartonshire Council and I would like other councils to take that stance. However, councillors, like other politicians, have ambitions, and they do not want to jeopardise their future political careers by being debarred from office.

Mr McAllion: If the bill reaches the statute book, it will rescue many of those councillors from that predicament. [*Laughter.*]

The Convener: That would be an act of solidarity, John.

You have given us substantial evidence that has been extremely helpful in our consideration of the bill. I appreciate how hard it can be to talk about your personal circumstances in a formal setting such as this, and we appreciate your contribution. In a couple of weeks, we will be hearing evidence from representatives of the Law Society of Scotland. Much of the information that you have given us will assist us in framing questions to them. You will be welcome to come and sit in the gallery at that meeting.

If you have any other evidence to submit, that will form part of our evidence to the Justice and Home Affairs Committee. We will finish formulating a report to the Justice and Home Affairs Committee—the lead committee—which will then deal with the matter and report formally to the

Parliament.

I am sure that you will keep an eye on this issue—it strikes me that you will watch it closely. The committee will consider many of the issues that you deal with, so I am sure that we will talk to you again.

11:19

Meeting suspended.

11:20

On resuming—

Robert Brown: Will this committee, or another committee, receive representations from Citizens Advice Scotland? The issue of the national network is important.

The Convener: Yes. Citizens Advice Scotland will come to the committee.

We will discuss the timetable for a couple of minutes and then talk about how we manage the other evidence and about my meeting with Roseanna Cunningham.

Mike Watson (Glasgow Cathcart) (Lab): I have seen the list of the three committees that are taking evidence. The sheriff officers are not coming to this committee, but I have questions for them. Presumably, I should go to the meetings of the other committees as a member of the Scottish Parliament to ensure that the questions that I want to be asked are asked. Can we discuss evidence that is given to other committees? Can we use it to shape our view of evidence that we receive? I have a list of who is going to what committee, but I do not have dates, so I do not have an idea of the chronology. Can we have dates?

Martin Verity: We will give you as much information as we can get. There is nothing to prevent this committee from considering the evidence that is submitted to the other committees, which members can obtain from the *Official Report*. You should also have copies of the written evidence that has been submitted by organisations.

Mike Watson: I have that information. I have not looked through it, but I do not think that it mentions dates. John McAllion has not seen the list showing the division of oral evidence among the three committees—I have copied it from an e-mail message dated 11 November.

Martin Verity: It does not mention dates. We will get as much information on dates to you as soon as possible.

The Convener: I have agreed on a programme of work with Roseanna Cunningham and Trish Godman that will balance the work of the

committees.

Mike Watson: The balance is fair, but we might want to discuss what is said at the meetings of other committees.

The Convener: When they can, members are strongly encouraged to attend the meetings of other committees that are hearing evidence, and to read the *Official Report* and written submissions. The problem is that members are meeting in so many committees.

Mr McAllion: I have not seen the body of evidence that has been referred to. Has it been sent to us?

Alex Neil: At 4.45 pm last night.

Mr McAllion: So it is on its way to me.

Four groups are scheduled to give oral evidence to the committee. It has taken just over an hour to take evidence from the Communities Against Poverty Network. We have two evidence-taking meetings before Christmas; could not we fit the other three organisations into those two meetings? We could have taken evidence from another group this morning. I imagine that Citizens Advice is likely to give much the same evidence as the group from which we heard this morning.

The Convener: I will consider that suggestion.

Mr McAllion: I do not know whether we should hear from the Law Society at the same meeting as the Department of Social Security, or whether Citizens Advice should be together with the Law Society. It is sometimes useful to hear two balancing views at the same meeting.

Cathie Craigie: Today we have heard evidence in a more leisurely manner than at some of our previous meetings, when evidence has been taken in a rush. It was good that we did not feel that somebody would be done out of a question if we did not rush.

The Convener: It was much easier for me.

There are other items of business for the committee to take, such as the voluntary sector report and discussions to refocus the drugs inquiry. It might be useful to have an hour for those items of business.

Bill Aitken (Glasgow) (Con): I would like to go back to the question that was raised about the evidence heard by the Justice and Home Affairs Committee and by other committees. It is important that we should get copies of the *Official Report* of the evidential part of those committees.

Martin Verity: We will ensure that copies of the *Official Report* of the other committees are sent to members of this committee. I cannot make promises about the speed with which the *Official*

Report for those meetings will be produced because there is a schedule to be followed.

Bill Aitken: That is all right, as long as we get the *Official Report* before we are at the report stage.

Martin Verity: We will, and we will ensure that members get copies of all the reports.

Fiona Hyslop: We are sitting here at 11.25 am; there would have been time to hear evidence from someone else. Consider the work load of the Justice and Home Affairs Committee, which is meeting now. It is taking evidence on three bills as well as discussing a European document. Perhaps we could get more value out of the time that we have.

The Convener: I take that point, but this goes back to Cathie's point. This is the first meeting at which I have not been nagged consistently that people did not get sufficient time to speak.

Mr McAllion: Keith Raffan is not here.

The Convener: Yes, Keith is not here—that could be why.

We should not overload ourselves.

Robert Brown: The evidence this morning was a different sort of evidence. It was about experiences rather than about statistics and financial details of the kind that we got from Scottish Homes. I think that it will take longer with Citizens Advice Scotland, the Law Society and others, when members will put pointed questions to them.

Alex Neil: The danger is that we underload this committee.

The Convener: Alex, do not be ridiculous.

Alex Neil: Seriously, there is a time management issue. We have set aside the whole morning and we have a wasted hour.

Bill Aitken: Are you saying that you do not have anything to do for the next hour?

Alex Neil: I am not saying that and neither am I trying to repeat the argument that we had three or four weeks ago. The point that I made then was that the number of sessions that we had set aside was over the top in relation to the number of people likely to want to give us oral evidence and the time that that would take.

John McAllion is right. We should be able to take the other three organisations allocated to this committee in the two meetings between now and Christmas.

The Convener: I remind the committee that we decided categorically at a previous meeting that we should stop revisiting decisions that we had

already made. We have agreed to stick to the timetable. Consistent submissions are made to me about the amount of work that the committee is undertaking and about people's trouble in getting through the work of the committee. If we can manage the time appropriately and hear evidence, we will get through the work, but we cannot keep changing the agenda.

Alex Neil: We are not proposing a change. Between now and Christmas we have two further full mornings on warrant sales and three organisations to see. As John McAllion said, if we can, we should arrange to hear the evidence from those three organisations in those two sessions.

This morning, the Justice and Home Affairs Committee met at 9.30 am and will go on until 1 o'clock. It is dealing with three bills and evidence from a substantial number of organisations. From what I hear from the Justice and Home Affairs Committee, it is dealing with those matters thoroughly.

Cathie Craigie: I do not criticise another committee of the Parliament, but I must question the justice that can be done to three such serious items in one meeting.

The Convener: Let us not get into that.

Cathie Craigie: We set a timetable, but we have come back to the same old argument. This meeting was called for 10 am and we did not say how long it would go on for. Before we started, we knew that there would not be so many questions about the evidence today. The people who gave evidence answered fully the points that we raised.

We have the same argument repeatedly. The official reporters could write the *Official Report* before we sit down at the committee, because we seem to have the same argument every week.

Timetable

The Convener: We will now move on to the final agenda item, which is the timetable. We will stick with the timetable as written.

Mr McAllion: This is nothing to do with that argument. Did the Department of Social Security volunteer to come and give evidence?

The Convener: Yes, I believe so.

Mr McAllion: That is important for housing. We should remember that there have been indications off the record that ministers from the DSS are not accountable to this Parliament and will not give evidence here. It is interesting that the DSS are volunteering to give evidence on this issue. That sets a precedent and I am sure that we can demand that it give evidence on housing benefit reform.

Fiona Hyslop: The Executive paper recommended a list of organisations that would be suitable.

Mr McAllion: A precedent has been established—the DSS will come and give evidence.

Martin Verity: All the evidence that has been received has been submitted voluntarily in response to an open request for evidence.

Mr McAllion: If those people come once, they can come again.

Martin Verity: We will invite the DSS to give oral evidence. That is subject to confirmation, but we will invite it.

Alex Neil: Has it requested to give oral evidence, Martin?

The Convener: I cannot remember—some organisations said that they wanted to give oral evidence.

Alex Neil: How do we select which organisations we write back to and invite to give oral evidence?

The Convener: When the three conveners met, we looked at the list and decided from whom it was appropriate for our committees to hear. Some organisations said that they wanted to give written evidence and a much smaller list wanted to give oral evidence. The three conveners took the view that there were some organisations, irrespective of which category of evidence they had indicated that they wanted to give, which we wanted to come to our committees. I cannot remember whether the DSS said that it wanted to give oral or written evidence.

Mr McAllion: Will officials or ministers come?

The Convener: It will be officials, and their evidence will be about the operations of the department.

Alex Neil: Will they be speaking on behalf of their ministers or on their own behalf?

The Convener: Presumably, they will be talking about their work in relation to this legislation.

Alex Neil: They are down, on one of the lists that I have seen, as being opposed to the bill. That is a political decision. If they are giving evidence to oppose the bill, we should talk to ministers because that is a political matter. We cannot have officials from the DSS coming to oppose a bill.

The Convener: I cannot remember which category they are in, but it is about administration.

Alex Neil: They are under the category of being opposed to the bill on one of the lists. We need clarification as to whether they are coming to

make a political point about opposition to the bill or to give us evidence on administration.

The Convener: We will clarify that.

Alex Neil: If ministers come, we must ask the secretary of state.

The Convener: The Executive is giving evidence to the Justice and Home Affairs Committee that will be relevant to this committee as well.

Are there any other points about the timetable?

Thank you for your attendance. Given the work that we put into this committee, I do not think that there is any issue about us finishing a little early.

Meeting closed at 11:31.

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