

SOCIAL JUSTICE COMMITTEE

Wednesday 23 January 2002
(*Morning*)

Session 1

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SOCIAL JUSTICE COMMITTEE

2nd Meeting 2002, Session 1

CONVENER

*Johann Lamont (Glasgow Pollok) (Lab)

DEPUTY CONVENER

*Mr Kenneth Gibson (Glasgow) (SNP)

COMMITTEE MEMBERS

*Robert Brown (Glasgow) (LD)

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

*Linda Fabiani (Central Scotland) (SNP)

*Mrs Lyndsay McIntosh (Central Scotland) (Con)

*Karen Whitefield (Airdrie and Shotts) (Lab)

*attended

CLERK TO THE COMMITTEE

Lee Bridges

SENIOR ASSISTANT CLERK

Mary Dinsdale

ASSISTANT CLERK

Craig Harper

LOCATION

Committee Room 3

Scottish Parliament

Social Justice Committee

Wednesday 23 January 2002

(Morning)

[THE CONVENER *opened the meeting at 10:00*]

Items in Private

The Convener (Johann Lamont): Welcome to this meeting of the Social Justice Committee. I trust that everyone managed to get here safely.

Item 1 is to agree to take item 6 in private, as we will consider our response to Communities Against Poverty's recommendations on community representation and social inclusion partnerships. Are we agreed?

Members *indicated agreement.*

The Convener: Item 2 is to ask members to agree to take items at future meetings on the draft report of the inquiry into the voluntary sector in private. Are we agreed?

Members *indicated agreement.*

Budget Process 2003-04

The Convener: Item 3 concerns the budget process. Members have received a paper that suggests an approach to consideration of stage 1 of the budget.

It is proposed that we ask the Scottish Parliament information centre to produce a position paper by March. We thought that it might be useful to take evidence from organisations that are closely involved in our area of responsibility. We have suggested that the Chartered Institute of Housing in Scotland, Shelter Scotland, Communities Scotland and so on—as identified in the paper—come to a panel meeting on 20 March to raise issues that they want to pursue and highlight points relating to the budget. It has been suggested that we take evidence at a later stage from the Minister for Social Justice and produce our draft stage 1 report on 1 May. It must be with the Finance Committee by 7 May.

We thought that taking soundings from people who work in our area of responsibility might be as useful and productive a way of considering the budget as getting our own separate adviser.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I do not have any objections to the proposals in the paper. The approach probably would be an improvement on the way that we operated last year. When the adviser produced the paper, there was not really an opportunity for members of the committee to question the advice.

The only question I have is about having Communities Scotland on the panel. Would it be appropriate to include that organisation, given that it is part of the Executive? I seek your advice or that of the clerk.

The Convener: My instinct is that it would be interesting and significant to hear what Communities Scotland has to say. We would have to take what it said in the context of its relationship with the Executive being different to that which Scottish Homes had.

Linda Fabiani (Central Scotland) (SNP): I had not thought of that, but I can see what Cathie Craigie is getting at. We should listen to what Communities Scotland has to say, but we should maintain an open mind. If we felt that the information that the organisation gave was not as open and transparent as we would wish, we would reserve the right to take evidence from end-users of the service that it provides.

Karen Whitefield (Airdrie and Shotts) (Lab): Linda Fabiani mentioned end-users. It might be important to include the Scottish Federation of Housing Associations.

Linda Fabiani: Perhaps we could hear from someone from a council to get both sides of the story, given the new role that housing associations have.

Robert Brown (Glasgow) (LD): Communities Scotland's presence would be useful. I do not know about other members, but I was struck by the independence of mind of the representatives of Scottish Homes—Communities Scotland's predecessor—from whom we heard in the past. It would be useful in itself if we were able in a small way to encourage Communities Scotland to continue that attitude by being involved with the committee.

I would like to make a more general observation. Like other members, I have found the budget process profoundly unsatisfactory in the past. It has become a bit of a technical exercise, particularly in its early stages. I am anxious to have as meaningful an input into the Executive's financial priorities as we can have.

The method of going about things that the paper suggests is useful; it will give us a better grasp of the possibilities of the budget process. In Parliament, voting supply is the key power that committees have. Committees have to try to develop techniques to make that as effective as they can.

The Convener: We should recall that we were in the middle of the Housing (Scotland) Bill the last time we tried to deal with the budget process. It might be reasonable to say that the committee was not as focused as it might otherwise have been.

The relationship that Communities Scotland has with the Executive is slightly different from that of an Executive department. It would not do any harm to place the evidence that we hear from the organisation in the context of its relationship with the Executive when we ask questions. I take it that we are agreed that we will ask the SFHA to participate in the process if it is willing to do so.

Do members agree to that approach to the budget process?

Members indicated agreement.

Housing (Scotland) Act 2001 (Homelessness)

The Convener: Item 4 is on the Housing (Scotland) Act 2001 and the use of interim accommodation for unintentionally homeless applicants in priority need. We have been asked to give our views on the Scottish Executive consultation by 5 April. Members are invited to comment on the approach.

Robert Brown: I am a little unhappy with the content of the Executive's consultation paper. If members recall, a lot of the discussion of this aspect of the Housing (Scotland) Bill was about the revolving-door syndrome. On a number of occasions, the accommodation arrangements that people are offered fail, for whatever reason—youth or something of that kind—and the same people come back to be rehoused in a few months' time.

I am not sure that the procedure that the consultation paper sets out, which looks bureaucratic and does not hit the nail on the head, is quite what we want. I accept that there is not much supported accommodation and that not everyone can be given such accommodation, but we want there to be proper consideration of the issues.

It seems from the discussion in paragraph 7 of the paper, particularly the second and fifth bullet points, and from the recommendations at the end of the paper, that a stage is missing. We are saying that interim accommodation should be used only where it is concluded that a household needs support. Do not we need a process that identifies what the support needs are, indicates what could be done to meet those needs and decides, on that basis, whether supported accommodation is appropriate? It seems to me that the paper glides over that central issue. Perhaps I am reading the paper wrongly or have not got a full grasp of it, but that was my perception as I read it.

Cathie Craigie: The third page of the paper, on the proposed content of the subordinate legislation, talks about having a housing support services assessment, which might take care of Robert Brown's concerns.

The homelessness task force spoke strongly on the matter and the Executive took on board its recommendations. One of those was that it should be recognised that there are circumstances in which somebody might require supported accommodation, because of their age, its usefulness or the number of years that they have managed to get under their belt.

Although the paper is short, we must consider whether we can go into too much detail. There will be a responsibility to assess the individual applicant's needs. The assessment would not be long-term; it would have to be reviewed within a reasonable period.

We have a bit of time to consider the paper. Our views do not have to be in until 5 April.

The Convener: We decided at our last meeting that a model for dealing with such points would be for members to think about them and direct their comments to the clerks. The clerks could read in the *Official Report* what we said about the matters when we were dealing with the Housing (Scotland) Bill and try to pull something from that.

We could schedule discussion of the consultation for 20 March. If people were reminded nearer the time that they would have to give comments to the clerks, it would allow us to match what we said during our consideration of the Housing (Scotland) Bill to our consideration of the consultation.

Robert Brown: Cathie Craigie and I do not disagree on the consultation. It is a matter of what is spelt out in the procedure. When somebody presents as being in priority need, an assessment is done. My point is that the assessment should say X, Y and Z and that, on the basis of X, Y and Z, certain things should happen. The procedure should be spelt out a bit more.

Linda Fabiani: I have always been more concerned about the point at which whether somebody is in priority need is assessed than about what happens after they are assessed as being in priority need. Perhaps that concern will be alleviated if my memory is refreshed. Has any guidance on how to assess priority need been put in place or is there any intention to put such guidance in place?

Lee Bridges (Clerk): I think that something is on the way, but we have not received it yet.

Linda Fabiani: Would it be worth while having a sheet about that for information while we are discussing the consultation?

The Convener: If we meet the Minister for Social Justice and the Deputy Minister for Social Justice at our away day, it would be useful to get a sense from them of how the guidance is being rolled out.

Linda Fabiani: So much is being introduced that it is sometimes difficult to remember where it all fits in.

For me, the major concern is who makes the decision about whether someone is in priority need rather than what happens to people who are in priority need. I am perhaps more concerned

about those who are not in priority need than about what happens to those who are deemed to be in priority need, whom the system will assist.

Robert Brown: I think that that is being considered in phase 2 of the homeless task force's work, which is going on at the moment. Recommendations will come out of that in due course with a view to introducing primary or secondary legislation. That is the next stage, rather than what we are considering now.

Linda Fabiani: Could we check that to find out where everything fits in?

The Convener: The consultation paper says that part of the purpose of the regulations is to facilitate the implementation of the task force's recommendations. Given that it is a consultation, the points that people make will help to shape the regulations.

Do we agree to discuss the consultation paper on 20 March? Committee members should make their comments through the clerks and we will consider the consultation paper.

Members indicated agreement.

Away Day

The Convener: Item 5 is the committee away day. Committee members have a paper that details the draft programme. I ask for views on the programme.

We must decide whether to invite the ministers on the evening of 10 February. We have already had a discussion about that and agreed that it would be useful to invite them. They have offered to give a brief presentation on their future work programme and how they envisage work in the social justice field will be developed over the next period. That would inform our work on the next day.

I am happy to take comments on any of those points. We must also agree on how the event will be facilitated. We talked about that and it was suggested that Lee Bridges would facilitate it, if that were agreeable.

We must also think about what will happen to the meeting on 6 February. It has been suggested that we could postpone that meeting, as we would be committing to committee time on the Sunday and Monday. If we needed to slot in another date we could do so later. I think that 27 February is free if we felt that it was necessary to do that.

Are there any general comments on the draft programme?

Linda Fabiani: I like what Lee Bridges, I presume, has written. Paragraph 7 of the paper is important. As it says, we should have a

“positive product by the end of the away day”

rather than let the work slide afterwards.

Robert Brown: I have two points. One is about on-going monitoring of the Housing (Scotland) Act 2001—we may have raised that issue before. It would be helpful to have a paper that flags up, for example, subordinate legislation on X and advice notes on Y.

The Convener: That will be part of the research that we have commissioned.

Robert Brown: My other point may be addressed at the away day. We have found social justice targets a little tricky because of the difficulty of measuring them. An eye should be kept on that issue in our discussions on such matters. One of the committee’s functions is to hold the Executive to account for its delivery in relation to targets. We need to get inside the Executive’s thinking a bit and find out whether there are mechanisms that allow us to monitor how the social justice programme progresses. That is linked to the budget in the same way.

Karen Whitefield: On the facilitation of the away day, I agree with Linda Fabiani that we need to have a positive product at the end, but I also appreciate that there will be an awful lot of work for the clerks on the day—so much will be happening on the Sunday night and on the Monday. If we had an interim report at the end of the day and a fuller report at our next committee meeting, that might give the clerks a little bit more time to do the work.

10:15

The Convener: We must find a balance. We could sit and chew the fat all day but find that, at the end, that all melts away and does not impact on anything else. The work should be focused. That is why we are taking time out to go away and do it.

Robert Brown: Sometimes such things are done by a rapporteur, whose job is to try to summarise the conclusions that come out of the work. Might that be a role for one of the members?

The Convener: Although Lee Bridges will facilitate the away day, he will not also clerk it. A clerk will be there to do that job, which is separate. We might want to think about how to manage that when we are at the away day.

Do we agree the suggestions that are made in the paper?

Members indicated agreement.

The Convener: Before we go into private session, I have something to say. Members may be aware—if they are not, I inform them—that Lee Bridges is leaving the committee. Today’s meeting is his last one. He has a free transfer—on to bigger and better things, I trust.

On behalf of the committee, I thank him very much for all his work and support, certainly over the period that I have been on the committee. If anyone needs a model for an excellent clerk, they should read over the work that we have done in that time.

I wish Lee all the best. I am sure that he will miss meetings of the Social Justice Committee in much the same way as one misses toothache when it is gone.

Lee Bridges: Thank you.

10:17

Meeting continued in private until 10:34.

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