



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Wednesday 12 November 2014

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Scottish Parliament

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

Portfolio Question Time

Rural Affairs, Food and the Environment

The Deputy Presiding Officer (John Scott):

Good afternoon, everyone. The first item of business is portfolio question time. We begin with questions on rural affairs, food and the environment. In order to get in as many members as possible, I invite short and succinct questions and answers, please.

Climate Challenge Fund

1. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government how many community groups have received support from the climate challenge fund. (S4O-03663)

The Minister for Environment and Climate Change (Paul Wheelhouse): More than 500 communities—512, to be precise—have now received support from the climate challenge fund to take action on climate change and support them in making the transition to low-carbon living. That is a landmark achievement of national significance, and it reflects the strength and commitment of community action to tackle climate change. In total, across those 512 communities, some 696 projects have been funded and a total of £61.4 million has been awarded.

Stuart McMillan: I am aware that Inverclyde is one of the local authority areas that has not previously submitted a bid for funding from the climate challenge fund, and I am supportive of the bid from the Greenock Morton Community Trust. Can I ask the minister to look favourably on the bid, which will have health and environmental benefits for those who participate in the trust's activities?

Paul Wheelhouse: I am delighted to hear that an application for funding from a community in the Inverclyde area has been submitted to the climate challenge fund. It will be considered at the next meeting in December.

As the member will be aware, Inverclyde is the only local authority area in Scotland that is not home to a community that has taken advantage of the climate challenge fund, so I am pleased that the work that has been done locally to stimulate interest in the fund has paid off. I understand that

the application in question has been generated by the ideas bank, which is an important new innovation in the fund. I am encouraged that that mechanism—which is aimed at spreading good practice and making it easy for communities with limited capacity or whose primary focus is not climate change to access funds—is working.

I should say to the member that all CCF funding decisions are made by an independent panel, which makes recommendations to me. It would therefore be inappropriate for me to comment on a particular application, but I know that a number of similar projects that are based around sports clubs have been supported in the past.

The decision on whether to fund the project to which the member refers will depend on the quality of the application, the funds available and the other projects that it is up against, but I would like to wish the community behind the project and, indeed, the other communities that have applied to the climate challenge fund in the next round—the 20th round—the best of luck.

Livestock Haulage Industry

2. Maureen Watt (Aberdeen South and North Kincardine) (SNP): To ask the Scottish Government what discussions it has had with the livestock haulage industry regarding maximum driving hours and staffing challenges for livestock transporters. (S4O-03664)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): I am aware of the concerns that the livestock industry has raised on the issue, and I would be happy to facilitate discussions to help resolve any problems. Of course, responsibility for some aspects of the issue is reserved to the UK Government, and I know that the industry has made representations directly to United Kingdom Government ministers. Nevertheless, the Scottish Government stands ready to work with the industry to help in any way that we can.

Maureen Watt: Has the cabinet secretary had discussions with his Westminster colleagues on the issue? Will he also discuss with the Minister for Transport and Veterans and the Cabinet Secretary for Training, Youth and Women's Employment the need to bring young people into the industry through apprenticeships, given that the average age of drivers of livestock transporters is now over 55?

Richard Lochhead: I am happy to commit to doing both of the things that Maureen Watt requested. I very much appreciate—as I am sure that many other members do—the importance of the livestock haulage industry to the livestock sector. Without it, we would not be able to move livestock around the country to market. We need

the livestock haulage sector to prosper, so I will certainly look further into and pursue the issues that Maureen Watt raised.

Common Agricultural Policy (Payments)

3. Dave Thompson (Skye, Lochaber and Badenoch) (SNP): To ask the Scottish Government when the details of future common agricultural policy payments to farmers and crofters will be known. (S4O-03665)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): I announced to Parliament on 11 June the key decisions on how we will implement the new common agricultural policy from 2015 and, in particular, pillar 1—the direct payments to farmers and crofters—which is set to deliver £2.8 billion of payments to them between 2015 and 2020.

We are continuing to provide farmers and crofters with a huge amount of information about the new CAP through the extensive programme of 34 roadshows that are being held across the country, which are being very well attended, and the CAP booklet that we have sent to all customers—farmers and crofters—which is also available in local area offices. In addition, of course, we continue to update the information on the Scottish Government website.

Dave Thompson: I was disappointed that the United Kingdom Secretary of State for Environment, Food and Rural Affairs, Liz Truss, did not let the cabinet secretary join her at her meeting with the new European Commissioner for Agriculture and Rural Development on Monday.

On the CAP payments, is the cabinet secretary in a position to identify or quantify which areas will be affected by the area 3 rough grazing payments?

Richard Lochhead: I share Dave Thompson's disappointment that I was locked out of the meeting that the secretary of state, Liz Truss, had in Brussels on Monday with the new agriculture commissioner. I made a request to attend, but it was declined.

Dave Thompson raised the issue of the impact of the rough grazing payments on crofters. We have written to crofters to let them have the provisional allocation of the three new CAP payment regions, based on their 2014 permanent land declarations as part of a single application form. Individual crofters will be able to work out what that means for them. Until that has been worked out and the application forms have been completed next year, we cannot estimate the exact payments that any crofter or, for that matter, farmer will receive.

I accept that the issue is complex but it is worth noting that, overall, the crofting counties receive a net benefit from the new common agricultural policy that is being put in place in Scotland. For instance, in 2011, crofters received around €19 million; under the new policy, it is estimated that they will receive around €32 million.

Claire Baker (Mid Scotland and Fife) (Lab): I appreciate the difficulty that there is in delivering CAP reform, but how does the cabinet secretary respond to comments from NFU Scotland that

“the lack of clarity over the transition to the new area payment system is eroding confidence in the reform process”?

After the European Commission rejected the original transition plans, will he soon be able to share the new ones?

Richard Lochhead: On the lack of clarity and the complexity, I remind Claire Baker—and, indeed, the rest of the members—that we worked closely with the industry throughout the reform process. Some of the additional complexity that has perhaps resulted in a lack of clarity at this stage was the result of the Scottish Government meeting the industry's requests. We are trying to maximise the flexibilities that are available in the reform to take into account Scotland's unique circumstances in agriculture and the various issues that are relevant to farming and crofting in the country.

I will give as much clarity as possible and have already done so on a range of issues. The process is clearly complex. I remind Claire Baker that the first payments will be issued in December 2015 or as close to that date as we can achieve. Therefore, the next few months are important to ensuring that the process is in place and to offering additional clarity.

Low Emissions Strategy

4. Drew Smith (Glasgow) (Lab): To ask the Scottish Government what progress it is making in developing its low emissions strategy. (S4O-03666)

The Minister for Environment and Climate Change (Paul Wheelhouse): We are making good progress in developing our low emissions strategy. An update on progress will be made at the Scottish transport emissions partnership annual conference in Edinburgh on 18 November. A draft of the strategy, which is being developed by the Scottish Government, Transport Scotland and the Scottish Environment Protection Agency in partnership with a range of organisations in the public and private sectors, is due to be issued for consultation before the end of 2014.

Drew Smith: I look forward to the strategy. Earlier this year, Health Protection Scotland attributed pollution as a cause of death in 306 cases in Glasgow, which is the highest number in the country. I note that the draft budget includes no additional funding to improve air quality. What action can the minister point to that can reassure me that it is a priority for the Scottish Government?

Paul Wheelhouse: We are working closely with Glasgow City Council—Drew Smith represents that area—to produce a comprehensive air quality action plan for the city. We have a good relationship with the council in that respect and can provide the member by correspondence with details of what stage we have reached.

Glasgow City Council produced a detailed feasibility study on producing a low emission zone in the city for the Commonwealth games. Unfortunately, that did not happen for reasons that Drew Smith is probably aware of but, overall, we are impressed with what the council has been trying to do to tackle air quality in the city and will work closely with it.

We have a number of challenges, not least because vehicle emissions standards have not delivered the improvement in air quality in urban areas that we and 20 other Administrations throughout Europe had hoped for. That presents us all with a problem, but we are working through a strategy to try to achieve compliance with the European directives as soon as we can.

Radioactive Waste (Transportation and Storage Application)

5. Margaret McDougall (West Scotland) (Lab): To ask the Scottish Government what its position is on EDF Energy's application to the Scottish Environment Protection Agency that would allow it to transport intermediate-level radioactive waste from other sites to Hunterston to be stored. (S4O-03667)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): I should point out that the application is primarily a matter for the Scottish Environment Protection Agency, which is giving it full consideration and will of course test its compatibility with Scottish Government policy.

Margaret McDougall: I thank the cabinet secretary for that answer, albeit that it was very short.

Many of my constituents are worried that if the application is approved it will lead to Hunterston becoming a dumping ground for radioactive waste from across Scotland and beyond. They are also concerned that the waste would also be transported on mainly A-class roads, increasing

the risk of accidents. Given that the Scottish Government's policy on managing nuclear waste is for it to be stored in near surface facilities

"located as near to the site where the waste is produced as possible",

what assurance can the cabinet secretary give my constituents that Hunterston will not be used as a dumping ground?

Richard Lochhead: I do not detract from the seriousness of the issues that Margaret McDougall has raised, but I would say that I wish that we did not have this nuclear legacy to deal with in the first place. Margaret McDougall's party supported the nuclear waste legacy that was created in past decades, and unfortunately now we have to deal with that in Scotland, because it is our responsibility.

There has been a public consultation on the application and EDF has stated that the proposed change is

"purely a practical one to facilitate more flexible disposals by allowing waste to be collected temporarily at one site before being sent for disposal to an authorised facility."

The application makes clear that there would be no long-term storage of waste transferred to Hunterston B power station or, indeed Torness, from another site.

I treat those matters very seriously and the Scottish Government has a policy on the issue. I am limited in what I can say, because the application is active, but I hope that I have put the issue into context. We treat it very seriously.

Food Industry

6. Clare Adamson (Central Scotland) (SNP): To ask the Scottish Government what the value of the food industry is to the Scottish economy. (S4O-03668)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The most recent data from 2012 estimates that the food and drink sector—a growing sector, which includes food and drink manufacturing, sea fishing, aquaculture and agriculture—generated £4.8 billion in gross value added to the Scottish economy. Turnover in Scotland is now a massive £14 billion overall.

There are approximately 118,000 people working in the food and drink industry in Scotland in more than 17,000 businesses, which is around 11 per cent of all registered businesses operating in Scotland.

Clare Adamson: The cabinet secretary will be aware of a recent Bank of Scotland report showing that the sector is set to create 10,000 new jobs over the next five years, with 66 per cent of

companies surveyed expecting to increase their workforce. What support is the Government providing in Central Scotland to ensure that producers are able to take advantage of the economic potential and quality, reputation and provenance of Scottish food and drink?

Richard Lochhead: The Bank of Scotland report to which Clare Adamson refers underlines the massive potential of Scotland's food and drink industry. I celebrated that this morning at the launch of the year of food and drink 2015, which will be the big theme for Scotland next year. It is incredible to meet so many businesses from across Scotland, including in Clare Adamson's constituency, that are expanding, taking on new employees and capturing new markets.

We continue to make available as much support as is possible under tight budgetary conditions. In North Lanarkshire and South Lanarkshire, between 2007 and 2013, our food processing and marketing grant scheme funded 11 capital projects, amounting to £3.5 million, which attracted overall investment of £13.3 million. Other projects for Borders Biscuits and TM Fresh Direct have also been successful.

Businesses in Clare Adamson's constituency, as well as throughout the country, are booming and we will continue to support them in any way that we can.

Claire Baker (Mid Scotland and Fife) (Lab): Will the cabinet secretary comment on the need to bring younger people into the sector and to create apprenticeships? When I visit many businesses in the food and drink industry, such as those in fish processing, they tell me that they find it quite difficult to attract young people as it is seen as an old-fashioned career, rather than one that offers good opportunities.

Richard Lochhead: Claire Baker refers to an issue that has been reasonably long standing. However, I am optimistic that things are changing. The Food and Drink Federation and other bodies such as Scotland Food & Drink are addressing those issues seriously, and more people are being attracted not only to the production side of the industry but to the science aspects and the institutions that deal with food and drink issues and innovation. I am optimistic that more and more young people in Scotland are being attracted to a successful career in food and drink.

Common Agricultural Policy (Payments)

7. Alex Fergusson (Galloway and West Dumfries) (Con): To ask the Scottish Government how it will use the national reserve to ensure that farmers who were disadvantaged under the previous common agricultural policy are put on

regional average support payments from 2015. (S4O-03669)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): After extensive discussions with the industry, I intend that the national reserve will cover three categories of farmer. Category 1 will be for new entrants and young farmers who start farming in 2013 or later. Category 2 will be for farmers who were not allocated entitlements to the current single farm payment, or who were allocated those entitlements only through the new entrant or investor categories of the previous national reserve in 2005. The final category will cover farmers who have been subject to force majeure.

That approach will immediately address the unfair treatment that hundreds of farmers have faced in the past few years, while respecting the strict conditions of European Union regulations, and will honour my commitment to include new entrants from day 1 of the new CAP. It is possible only because the Scottish Government fought for the ability to use the national reserve in that way.

Alex Fergusson: All of that is very welcome, but on 11 June, in the statement in the chamber to which he just referred, the cabinet secretary said:

"we negotiated the ability to put"

those

"disadvantaged under the old CAP straight on to the regional average, through the national reserve."—[*Official Report*, 11 June 2014; c 32087.]

He also informed members that he accepted that that would mean an increase in the percentage taken from the national reserve, and that key stakeholders accepted that.

Many of the disadvantaged farmers who were optimistic about having their problems addressed since that statement was made are now being told that they will not be put straight on to the national reserve. They are justifiably angry about that and feel let down. I ask the cabinet secretary quite simply why he appears to have gone back on the words of his statement in June.

Richard Lochhead: First, I have not gone back on the word that I gave in June with regard to those who are excluded under the single farm payment, which was established in 2005. No new entrant farmer will be excluded from the current common agricultural policy.

There are issues with the definition of new entrants. We have looked at the various categories that have been proposed and at what is possible under the European Union regulations. We are covering all those who can be covered under those regulations. Those who were excluded unfairly from the current CAP, which is being replaced from 2015 onwards, will be

included in the new common agricultural policy. We cannot go against the EU regulations.

There are perhaps some issues that affect a very few farmers who have expanded since the 1990s, but with regard to the definition of new entrants I am confident that those who we all feel should be included in the new common agricultural policy will be included and will get the regional average under the new policy.

Fracking and Coal-bed Methane Extraction (Environmental Impacts)

8. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what the environmental impacts are of fracking and coal-bed methane extraction. (S4O-03670)

The Minister for Environment and Climate Change (Paul Wheelhouse): Like many other industrial processes, the extraction of coal-bed methane or the use of hydraulic fracturing for shale gas could have environmental impacts. We recognise the potential for that, particularly where there could be impacts on the water and air environment as well as other impacts such as noise, visual impact, light pollution and increased traffic volumes. We are conscious of the potential for increased greenhouse gas emissions if there are fugitive methane emissions from such industrial processes.

However, unlike the United Kingdom Government, which has been somewhat gung-ho, we have taken a precautionary approach. Our stringent system of planning and environmental regulation, which we have further tightened, should ensure that any environmental risks are recognised and properly mitigated.

The Scottish Environment Protection Agency has published its regulatory guidance, which sets out how it would regulate the potential environmental effects of shale gas and coal-bed methane development. That will be subject to regular review, based on any new and emerging evidence.

Joan McAlpine: Coal-bed methane extraction, which is proposed in Canonbie in Dumfriesshire, means removing very large volumes of saline water from the coal seam to release the gas. The Scottish Government's expert panel noted:

"Inappropriate disposal of these fluids in the US has had negative environmental consequences".

The water could be removed from Canonbie by tanker for treatment, but that would put enormous pressure on rural roads. It could be pumped into the Esk, one of our best salmon-fishing rivers. It could be left in lagoons or pumped back into the bedrock, which the expert panel has said has caused small earthquakes elsewhere. Does the

cabinet secretary favour any one of those disposal methods?

Paul Wheelhouse: I will ask the cabinet secretary later, but I understand the legitimate concerns that Joan McAlpine raises and that they will be shared by some of her constituents in the Canonbie area. We are clear that unconventional gas developments can take place only under the highest levels of environmental protection. In that respect, SEPA has a statutory responsibility for the protection of Scotland's water environment. Under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, SEPA has powers to regulate activities that interact with our water environment, and those duties would be strictly enforced. The appropriate approach is a regulatory matter. Should any development come forward, the developer will have to engage closely with SEPA to allow it to ensure that appropriate arrangements are in place to protect the local environment and community. I will look to ensure that our regulation is rigorously applied and that compliance is achieved.

Justice and the Law Officers

Legal Aid System

1. Roderick Campbell (North East Fife) (SNP): I refer to my registered interest as a member of the Faculty of Advocates.

To ask the Scottish Government what its position is on how the legal aid system is operating. (S4O-03673)

The Cabinet Secretary for Justice (Kenny MacAskill): An essential driver for Scottish Government policy on legal aid is to have a streamlined system that gives people access to publicly funded legal advice at the right time and addresses budget pressures without compromising access to justice. We have been reviewing and updating our strategy for reforming and protecting legal aid in Scotland, as set out in "A Sustainable Future for Legal Aid", which was published in 2011, and we will publish the outcome of our review activity shortly. Our aim remains to simplify the legal aid system and reduce expenditure while maintaining access to justice.

Roderick Campbell: Does the cabinet secretary share my concern that the Law Society of Scotland discussion paper on legal assistance in Scotland proposes that criminal legal aid could be increased, possibly by removing funding from some civil cases, such as housing cases involving eviction and rent arrears, which I suggest would be damaging to vulnerable people? Does he recognise the benefits of not adopting the

approach to legal aid that has been taken south of the border?

Kenny MacAskill: Absolutely. Rod Campbell's views are shared by Paul Brown of the Legal Services Agency, who I think made similar comments in *The Herald* on Saturday. I should preface my answer by saying that I welcome the discussion paper that the Law Society has produced, and that we will be happy to engage with it. However, the Government would echo Rod Campbell's comments. We think that the route that has been pursued south of the border, whereby huge tracts of life are no longer eligible for legal aid, is not the way to go.

We wish to ensure that there is access to justice on a broad basis in relation to civil legal aid. Criminal legal aid has to be provided, but that cannot be done at the expense of civil legal aid. In particular, we cannot mirror the huge cuts that have caused great hardship south of the border.

Domestic Abuse Courts (Access)

2. Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): To ask the Scottish Government what action it is taking to speed up access to domestic abuse courts. (S4O-03674)

The Cabinet Secretary for Justice (Kenny MacAskill): While overall levels of crime in Scotland have continued to fall in recent years, the reporting and prosecution of certain categories of crime, including domestic violence, have increased. Victims are now more confident in reporting those crimes and our law enforcement agencies deserve credit for sending a clear message that such crimes have no place in a modern, fair Scotland. As a consequence, our courts are now dealing with increased volumes of such cases, which are often complex and require sensitive handling.

To assist in ensuring the efficient processing of summary cases, including cases involving domestic abuse, the Scottish Government has provided £1.47 million in additional in-year funding, on top of agreed budget allocations, to be shared between the Scottish Court Service and the Crown Office and Procurator Fiscal Service. The funding is being used to support additional fiscals, court staff and judiciary. The Scottish Court Service has established specialist domestic abuse courts to deal robustly and effectively with domestic incidents when they arise and to reduce the risk of further escalating violence or abuse.

Malcolm Chisholm: At meetings of the cross-party group in the Scottish Parliament on men's violence against women, concerns have been expressed about long delays in access to domestic abuse courts and, when domestic abuse cases are still heard in them, sheriff courts. Does

the cabinet secretary accept that long delays and the postcode lottery of delays are inappropriate for victims of domestic abuse and that they impact on their safety? Will he therefore ensure that the courts prioritise domestic abuse matters?

Kenny MacAskill: Obviously, it is for the Scottish Court Service to prioritise, but I agree with Malcolm Chisholm that justice delayed can be justice denied. Especially when dealing with domestic abuse, it is important that prompt and expeditious action is taken. That is why the additional funding of £1 million to the Court Service and £470,000 to the Procurator Fiscal Service has been provided. A spike has clearly been caused by the greater involvement in the issue by Police Scotland. The benefits of Police Scotland taking appropriate action have been mirrored in all parts of the country, and have resulted in that spike, which put pressure on the police service, the fiscals and the courts. For that reason, we put in the additional funding.

I welcome the fact that the domestic abuse court in Edinburgh has been extended to cover all areas of the city and areas beyond the city. I think that we will see that the delays that came about because of the appropriate and correct actions that were taken by the court, the police and the Crown will now begin to reduce.

Youth Antisocial Behaviour (Western Edinburgh)

3. Colin Keir (Edinburgh Western) (SNP): To ask the Scottish Government whether it is aware of youth antisocial behaviour in western Edinburgh including joyriding and motorcycle theft. (S4O-03675)

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): I am aware of the situation and I know that tackling youth antisocial behaviour is being prioritised by local police. Fifteen officers have been deployed, providing additional assistance and reassurance to the local community. Positive steps are being taken to involve all partners, and a multi-agency joint action plan is in place to reduce the levels of antisocial behaviour and youth offending.

Colin Keir: Does the minister agree that the actions of Police Scotland, the city council and local community groups, working together in partnership, have shown how effective local community policing can be, and that, although there is undoubtedly more to be done, the scare stories of some Opposition members about a breakdown in local policing are unfounded?

Roseanna Cunningham: I am happy to agree with Colin Keir on that. Partnership working, with local communities working with Police Scotland and the local authority, is an effective way to

tackle local issues and to ensure that the public feel safe in their homes and are free to go about their business unhindered.

I support Edinburgh's attempt to reduce offending, which includes using the whole-system approach to preventing, diverting, managing and changing offending behaviour by children and young people. As a result of that approach, the number of children in Edinburgh who have committed offences in the past three years has reduced by 28 per cent.

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate the police in the part of my constituency that adjoins Colin Keir's constituency and which the minister referred in her first answer.

However, does the minister understand the concern and anger of the local community about what has been going on, and the disappointment that people feel at the fact that, sometimes, after effective police action, it seems that the courts and the children's hearings system let the community down? Does she agree that individuals must suffer the consequences of their actions and that that is an important part of combating crime, as well as the provision of support for individuals and the regeneration of communities, which is, obviously, also necessary?

Roseanna Cunningham: Malcolm Chisholm is probably reflecting a feeling that can become widespread in communities. Work in the children's hearings system with young people who offend takes place on a confidential basis, as he knows. The extent of intervention might not always be obvious to communities, but that does not mean that offending behaviour and its impact are not being confronted and addressed. It is important for us to reinforce that point. We also have in place diversionary activities that are being funded through the cashback for communities programme, which he will be aware of.

Sadly, the subject that we are dealing with is not a new problem. The same issue was being raised many years ago when I was a local government candidate in Edinburgh. Members will realise just how long ago that was when I tell them that Alistair Darling won that election and became the regional councillor for the area.

That is a reflection of the enduring difficulties that can arise with such behaviour and of the long-term need to tackle it at the preventative end rather than at the end that features the offending behaviour.

The Deputy Presiding Officer: Question 4, in the name of Gavin Brown, has not been lodged. An explanation has been provided.

Puppy Farming and Illegal Importation

5. Nanette Milne (North East Scotland) (Con):

To ask the Scottish Government what action Police Scotland is taking to address the issue of puppy farms and puppies being imported illegally. (S4O-03677)

The Cabinet Secretary for Justice (Kenny MacAskill): Enforcement of the legislation concerning puppy breeding and import controls on dogs is primarily the responsibility of local authorities rather than the police. However, Police Scotland will assist local authorities and other enforcement bodies such as the Scottish Society for the Prevention of Cruelty to Animals when requested.

Nanette Milne: The cabinet secretary will be aware of the concerns that have been expressed regarding the growth in the sale of puppies and dogs online. Following the publication of the Scottish Government's consultation on promoting responsible dog ownership in Scotland, respondents repeatedly called for indiscriminate breeding of dogs to be tackled and argued that, until it was tackled effectively, irresponsible dog ownership would continue. What reforms will the cabinet secretary bring forward to address that issue and the sale of animals on internet sites, especially as we approach the Christmas period, when people may be considering buying puppies as presents?

Kenny MacAskill: The policing of the internet, if I can put it that way, causes great difficulties in relation to not just this area but many areas. It crosses jurisdictions, and other difficulties are caused by the fact that consumer affairs are reserved.

We seek to make Scotland as safe a place as possible not just for humans but for animals, and to tackle the issue that Nanette Milne correctly raised, which is quite scandalous. Initially, the issue involved the transportation of dogs from eastern Europe, with many coming through United Kingdom points of entry. Scottish police and others work with their UK counterparts, but it is clear that people can access weapons, drugs and puppies over the internet.

We keep these matters under review. Some of them will be dealt with by the Cabinet Secretary for Rural Affairs and the Environment rather than me, but I am happy to try to get some information for Nanette Milne from both our departments and from Police Scotland, which I have no doubt monitors the internet for all sorts of behaviour. It is hard to say how we can have proper enforcement until such time as the issue can be addressed here, but I will reflect on the matter and come back to Nanette Milne with as much information as I can.

Police Scotland (Workloads)

6. Elaine Murray (Dumfriesshire) (Lab): To ask the Scottish Government what its position is on changes to the workload of officers and support staff since the establishment of Police Scotland. (S4O-03678)

The Cabinet Secretary for Justice (Kenny MacAskill): This is a matter for the chief constable and the Scottish Police Authority, in consultation with the staff associations and unions. The Government is continuing to deliver on our commitment to put 1,000 additional police officers in communities at a time when recorded crime is at a 39-year low.

Elaine Murray: On 4 November, Chief Superintendent Niven Rennie of the Association of Scottish Police Superintendents told the Justice Committee that he had “real and significant concerns” about the workload of his members and that the number of superintendents had reduced significantly through reform. Stevie Diamond of Unison told the committee:

“There are real pressures on staff to perform and fill in the gaps that have been left by people leaving or by roles not being filled.”—[*Official Report, Justice Committee*, 4 November; c 46.]

I know that the cabinet secretary likes to say that the matter is an operational one for the police, but the legislation was brought in by him and passed by this Parliament. Does he have any responsibility and what will he do about the problem?

Kenny MacAskill: The legislation was brought in by me and passed by this Parliament, and it was, I think, supported by the member, who had campaigned for a single police service—Labour’s position had been for that.

As we heard earlier, Police Scotland is doing a remarkably good job, as the legacy services did. We have heard about the outstanding amount of work that is causing pressures on other aspects of justice, such as tackling domestic abuse.

The chief constable has been clear that there will be no routine backfilling. I will meet Niven Rennie and Stevie Diamond shortly, as I do regularly.

There are financial pressures on Police Scotland, as there are on every public sector and private sector authority in Scotland. The challenges come from us not having control of our own budget, which has implications for us. Those who work in Police Scotland and are required to lead it are rising to the challenge and doing an outstanding job.

Historic Child Abuse Allegations (Public Inquiry)

7. Hanzala Malik (Glasgow) (Lab): To ask the Scottish Government what its position is on holding a public inquiry on historic child abuse allegations. (S4O-03679)

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): Hanzala Malik may be feeling rather overtaken by events. No doubt he will have been in attendance for the Cabinet Secretary for Education and Lifelong Learning’s statement yesterday. The cabinet secretary gave his assurance that by the end of this year we will reach a decision on whether a further public inquiry will be convened, after we have had an opportunity to listen very closely to views on all sides of the debate, to ensure that the action taken is well informed and meaningful.

Hanzala Malik: Although my question was submitted before the child protection statement was given yesterday, I would like to reiterate the graveness of the issue. Holding a public inquiry on historic child abuse allegations would assure the public that victims’ calls for justice would be properly addressed, rather than disregarded.

Scotland needs to take a deep look into the future of both the child protection and legal systems, so I press on with my request that the minister should look at the issue and ensure that a public inquiry is carried out as soon as possible.

Roseanna Cunningham: We only need to think about what is happening with Westminster’s public inquiry for the member to agree that it is important that we get this right from the start. We intend to consult survivors about all aspects of the kind of inquiry that might be required and who might sit on that inquiry. It is important that we do that and understand clearly whether the whole process of the kind of inquiry that might be being asked for is manageable.

The Government has made a commitment that a decision will be made on that by the end of this year. How time limited one can make that inquiry is a different question entirely.

Domestic Abuse Courts

8. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government what plans it has to establish domestic abuse courts across the country. (S4O-03680)

The Cabinet Secretary for Justice (Kenny MacAskill): There are already a number of established domestic abuse courts across Scotland in Glasgow, Edinburgh, Falkirk, Dunfermline, Livingston and Ayr. Sheriffs principal are responsible for court programmes, including domestic abuse courts, and under their legislative

duty are tasked with ensuring the efficient management of cases in their sheriffdom.

Although Scottish ministers have no locus of control over court programming, it is worth mentioning that the domestic abuse toolkit to aid the development of specialist approaches to cases of domestic abuse, which was published in 2008, was prepared following initial evaluation of the dedicated court in Glasgow and was developed to aid sheriffs principal and local criminal justice partners.

Rhoda Grant: Obviously I wish to see domestic abuse courts rolled out throughout Scotland, because it would help victims to address the crimes that have been committed against them, but, in the interim, will the cabinet secretary look at grouping cases? Will he encourage the Crown Office and Procurator Fiscal Service and the justice system to pull cases together to build expertise within criminal justice services and procurator fiscal offices, so that people understand domestic abuse and so that the sheriffs who preside over such cases have a deeper understanding of the issues that come before them and can deal with them appropriately?

Kenny MacAskill: Absolutely. The member makes a fair and valid point. To be fair, the COPFS has sought to ensure that, wherever possible, such cases are dealt with and marked by specialist domestic abuse fiscals. Sheriffs principal have also tried to ensure that, when there is no specialist court, we bring together particular cases on set days and do so with sheriffs who have built up expertise.

This is the same issue that came up when we talked about young offenders, and I recall Dame Elish Angiolini making the point that it is not so much the building of the expertise that matters, but how we deal with the offenders. We need people who are properly knowledgeable and able to deal with the issue, whether they are fiscals or are on the bench, and we need to ensure that we deal with cases as expeditiously as possible, which is a point that Malcolm Chisholm has quite rightly raised. Cases need to be clustered together and we need to make sure that we have resources in court—such as social workers, Scottish Women's Aid and other agencies—on the right days.

I can assure the member that her point is well made. It has been taken on board by the Crown and the Scottish Court Service and I am happy to drive home the important point that has been raised in Parliament.

Revenge Pornography

9. Graeme Pearson (South Scotland) (Lab):
To ask the Scottish Government when it will bring

forward proposals to tackle revenge pornography and what timescales will apply. (S4O-03681)

The Cabinet Secretary for Justice (Kenny MacAskill): We have confirmed that we are looking actively at the issue of revenge porn and will set out how action will be taken forward very soon. In the meantime, prosecutors have confirmed that there are a number of existing offences through which people who engage in this criminal behaviour can be prosecuted.

Graeme Pearson: Will the cabinet secretary confirm whether he or his officials have had discussions with the Scottish Police Authority about the nature of any additional resources or finance that might be required to deal with the issue?

Kenny MacAskill: We have not specifically on this issue, but I recently met Vic Emery to talk about the police budget in the round. From discussions with Police Scotland and the Crown, it seems to me that we are talking about having a better law to deal with circumstances in which a quite unacceptable crime is being committed.

The point that the Lord Advocate has quite correctly made, and which is supported by us and, indeed, by agencies such as Scottish Women's Aid, is that we know that this behaviour is going on and it is unacceptable. Existing offences can be and, indeed, are being used correctly to prosecute people, but a specific law on revenge porn would make matters clearer and would assist the police and prosecutors, and we will seek to drive the matter forward on that basis. This is about making the law better and clearer, not about increasing costs.

The Deputy Presiding Officer: Many thanks.

Welfare Benefits (People with Disabilities)

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-11494, in the name of Margaret Burgess, on welfare benefits for people living with disabilities. I invite members who wish to speak in the debate to press their request-to-speak buttons now or as soon as possible.

14:40

The Minister for Housing and Welfare (Margaret Burgess): It is just three months since the last debate on welfare reform in the chamber, but much water has flowed under the bridge since then. Although the referendum did not produce the result that the Scottish Government wanted, we are determined to ensure meaningful change for Scotland. That is why in the proposals that it has submitted to the Smith commission the Scottish Government has called for full powers over all social security and tax to come to this Parliament. Indeed, that call has been made not just by the Scottish Government; 65 leading charities in Scotland are calling for more powers over tax and welfare.

In the previous debate, I noted that we live in a society where, according to Oxfam, the five richest families in the United Kingdom are wealthier than the bottom 20 per cent of the entire population. That statistic is an outrage, and it goes right to the heart of the increasing inequality and unfairness in our society. As we know, it is our most vulnerable people who are bearing the brunt.

In the Scottish Government's draft budget, the Cabinet Secretary for Finance, Employment and Sustainable Growth focuses on three key goals: to make Scotland a more prosperous country; to tackle inequalities; and to protect and reform public services. The draft budget also sets out commitments that are designed to tackle the poverty and inequality that blight our society. The Scottish Government has committed to maintaining our spending on welfare reform mitigation and providing additional investment in housing, with a strong focus on affordable and social housing; and it has confirmed our commitment to the living wage and Scotland's wider social wage.

We have called this debate to highlight the impact of Westminster's cuts on disabled people in Scotland; to set out some of the Scottish Government's work to provide support to disabled people and their carers; and to call on the UK Government to halt the roll-out of the personal independence payment in Scotland. The last is clearly something that the Labour Party is not

prepared to do, given its attempt to remove that part of our motion, and I am disappointed that it is not taking that step.

As members will be well aware, the UK Government's welfare reforms from 2010-11 to 2015-16 could result in the total Scottish welfare bill being reduced by £6 billion and, as highlighted in the Scottish Government report entitled "Financial Impacts of Welfare Reform on Disabled People in Scotland", our disabled people are bearing much of the burden, including a disproportionate loss of income. Disabled people already face higher costs of living and are more likely to live in poverty, and with the replacement of disability living allowance by the personal independence payment, around 105,000 disabled people in Scotland will lose some or all of their disability benefits by 2018. A reduction in any one component of their entitlement is worth at least £1,120 per year.

The Treasury's 2013 budget document estimates that the reduction in spend from replacing disability living allowance with the personal independence payment will be nearly £3 billion a year by 2017-18, with Scotland's share of that cut being around £310 million a year. That brings us to the heart of why the Labour Party will not call for a halt to the personal independence payment. It has signed up to these cuts. As we know, Labour in Scotland follows what it is told to do by Labour in London.

Michael McMahon (Uddingston and Bellshill) (Lab): That is a cheap jibe.

Margaret Burgess: We know that it is not a cheap jibe—it is the reality. [*Interruption.*]

The Deputy Presiding Officer: The minister will be heard.

Margaret Burgess: We have heard that not just from the Scottish National Party and this Government but from the Labour Party itself.

Let us look at what these cuts mean to disabled people in Scotland.

Ken Macintosh (Eastwood) (Lab): I think that the minister recognises the inaccuracy of her jibe at the Labour Party. What tax-raising measures does the SNP intend to introduce to counter these cuts?

Margaret Burgess: I do not recognise that there was a jibe. It was not a jibe; it was a fact that came from the Labour Party. Let us get to the bottom of that one. We have said very clearly in our submission to the Smith commission that we want full control of social security and tax-raising powers. That was very much part of our white paper. It is disappointing that the Labour Party is not even prepared to call for a halt to the roll-out of

PIP until the outcome of the Smith commission. It could at least do that.

We have to look at what the cuts mean to disabled people in Scotland. They mean that 66,000 fewer people will receive disability benefits by 2018. That is 66,000 of our most vulnerable citizens being further disadvantaged. That comes at a time when wider benefit reforms are having disproportionate impacts on disabled people. Less income means less money being spent in local shops and local businesses throughout Scotland. The impacts are therefore far reaching, and they will affect all our communities.

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): The minister mentioned 66,000 vulnerable people. She knows that some of those vulnerable people will have been diagnosed with a terminal illness, such as motor neurone disease. What does the Scottish Government intend to do about the inconsistency of care charges across the councils in Scotland? I am looking for a very positive response to that question. The minister knows that I have campaigned on that matter for a very long time.

Margaret Burgess: The Scottish Government is clear that people with a terminal illness should not be charged for their care. We are working very closely with the Convention of Scottish Local Authorities and the charging guidance group to look at that. I think that the Minister for Public Health and the Cabinet Secretary for Health and Wellbeing have already said that COSLA aims to have new guidance in place by April 2015 and that there should be no care charges for people with terminal conditions, using the same definition of “terminal” that the Department for Work and Pensions uses. We are taking that on board. It is a very important matter and I thank the member for raising it.

We all know that PIP, like most of the UK Government’s welfare changes, has been beset with problems from the outset. That is very clear. There is the unacceptable delay in processing claims. The National Audit Office reported that 92,000 claims were outstanding in October 2013. Recent DWP data indicate that that figure is now substantially higher. The “Voices from the Frontline” report from Citizens Advice Scotland on the impacts of PIP delays highlights the hardship and distress that they are causing disabled people and their families.

It is for those reasons—as well as to await the outcome of the Smith commission—that the Scottish Government is calling on the UK Government to halt the roll-out of the personal independence payment.

Our current devolved powers are limited in this area, but I assure members that the Scottish

Government is doing all that it can to support our people and organisations throughout Scotland in these extremely difficult times. We have topped up the discretionary housing budgets to the maximum allowed, which has enabled councils to help those who are struggling with the costs of the bedroom tax. We have continued that commitment with up to £35 million in 2014-15 and a further £35 million in 2015-16 to fully mitigate the impact of the bedroom tax. We should remember that more than 80 per cent of households in Scotland that are affected by the bedroom tax contain a disabled person. Quite frankly, rather than spend £90 million on a policy that we have no control over, I would much prefer to have the power to abolish the bedroom tax.

It is clear that the UK Government made no cumulative impact assessment of these reforms until this summer, when research that the Equality and Human Rights Commission commissioned confirmed what many of us knew. It concluded that the

“impacts of tax and welfare reforms are more negative for families containing at least one disabled person, particularly a disabled child, and that these negative impacts are particularly strong for low income families.”

Scottish Government officials confirmed with the authors of the report that households with a disabled child could expect to face an average annual loss of income of around £1,400, while households with disabled adults and disabled children will lose £1,900 a year. It begs the question of what kind of Government would do that as a matter of deliberate policy. However, we know the kind of Government that we have in Westminster.

The Con-Dem coalition’s proposed benefits freeze from 2016 does not apply to disability benefits, but it would apply to the work-related activity group for employment and support allowance. Many people in that group have serious or progressive illnesses. Figures from the Office for National Statistics suggest that around 38,000 people in that group in Scotland have mental health or behavioural disorders and many others have diseases of the nervous system, which include progressive illnesses such as multiple sclerosis and Parkinson’s.

Barely a week goes by without more evidence that the current UK system is failing the most vulnerable members of society. The Scottish welfare fund provides help when people need it most through community care grants and crisis grants. Over 100,000 households in Scotland were helped by the fund in its first 15 months of operation. In the first year of operation, around 11,500 community care grants and 25,000 crisis grants were awarded to disabled applicants. It

should be noted that disabled applicants had a higher success rate than others.

Two weeks ago, the DWP announced the award of the contract for the delivery of health-related assessments, including the work capability assessment, to Maximus Health and Human Services Ltd. I have written to the UK Minister of State for Disabled People, Mark Harper, urging that the DWP work to ensure that measures are implemented that allow greater confidence in the assessment process while protecting the dignity of those being assessed. I want to have in place a system that treats people with dignity and respect, and prioritises supporting individuals.

The Scottish Government greatly values the contribution that disabled people make in the labour market and in our communities. Disabled people make a significant contribution to the economy and should have the opportunity to take part in everything on an equal footing with non-disabled people. The employment rate for disabled people in Scotland is much lower than that for non-disabled people. That is not acceptable, but we are trying hard to improve the situation. The Government's ambition is that all those disabled people who want to work get the opportunity to do so. Our employability policy for disabled people is focused on the development and promotion of supported employment—a place-and-train model—which enables people to learn on the job with support from colleagues and a job coach. We are keen to encourage the use of the supported employment model throughout Scotland and we continue to work with partners to ensure that supported employment becomes a more integrated part of the local services that are available to those seeking work.

The Scottish Government is clear that we should focus on helping disabled people into mainstream employment whenever possible. However, we also believe that there can be a valuable role for supported businesses—businesses where more than 50 per cent of the employees are disabled persons—both as a stepping stone towards mainstream employment and for those who are unable to progress.

We know that the welfare reform changes not only affect disabled people but can have a knock-on effect on the income of people caring for them. We are listening to carers and will bring forward legislation within this Parliament to support carers and young carers.

All of us in the chamber know that the UK Government's welfare changes continue to cause hardship for too many of our people who already face higher costs and are more likely to live in poverty. We surely must all agree that it is utterly obscene that disabled people are being disproportionately affected by the Westminster

cuts. I believe that halting the roll-out of PIP and giving this Parliament full powers over social security and taxation are the best way to protect and defend the rights and incomes of disabled people in Scotland.

I move,

That the Parliament notes the damaging and destructive impact of the UK Government's welfare policies on disabled people across Scotland; recognises that around 105,000 working age disabled people will lose some or all of their disability benefits by 2018 as the result of the replacement of disability living allowance with personal independence payment (PIP), with a loss of at least £1,120 per year and, as a consequence of changes in eligibility to the mobility component, 47,000 disabled people are expected to lose up to £2,964 per year; notes that wider benefit reforms are having a disproportionate impact on disabled people, who already face higher costs of living, and calls on the UK Government to halt the roll out of PIP, which will severely disadvantage disabled people across Scotland.

14:54

Jackie Baillie (Dumbarton) (Lab): I welcome the motion and debate that the Scottish Government has brought to the chamber, because it is right that we take time to consider the impact of welfare reform on disabled people. For many months, disabled people, their families and their carers have endured hardship, hostility and fear. They are living with the consequences of decisions made by the Tory and Liberal coalition, which are causing them real pain. Increasingly, disabled people are becoming anxious and despairing of the impact of welfare reform.

As we see the reality of the impact on disabled people's lives, we begin to truly understand that the Tory and Lib Dem coalition has not the first idea of what it is like to be disabled. However, it was Lord Freud's recent remarks that have rightly caused anger and outrage. To suggest that disabled people do not deserve to get paid the minimum wage is wholly wrong. More than anything else, it gives us an insight into the thinking of the coalition Government. That is what it believes deep down, and disabled people know that because of the effect that the coalition's other policies are having on their lives.

Today, let us send a clear message that we value disabled people as equal citizens, that we treat all people with respect, that we recognise the worth and potential of every person and that we will not tolerate an attack on disabled people's dignity or their rights. I am clear that Lord Freud should not be in government and I am equally clear that the Tory and Lib Dem Government should not be in office.

Christina McKelvie: Will the member take an intervention?

Jackie Baillie: In a second.

I remember David Cameron's promise that the cost of austerity would be borne by those with the broadest shoulders, but I did not realise that those were the sick and disabled rather than the millionaires sitting round his Cabinet table.

I am not opposed to reform of the welfare system to make it fit for purpose, but the change from DLA to PIP is accompanied by a budget cut of 20 per cent that is entirely based on an assumption that some disabled people will be removed from benefit or have a substantial proportion taken away, and the time delays in processing claims are frankly extraordinary. It was supposed to take no more than 12 weeks from application to decision. UK ministers say that they want to bring the waiting time down to 16 weeks. The reality is that it is taking, in some cases, up to a year. There is a huge backlog of assessments, with thousands of people waiting in limbo, and the delays are causing untold misery.

I ask members to imagine what it is like. Perhaps someone has become disabled recently due to an accident. They are having to spend money on adapting their home and on new equipment to help them to get about. They may have had to give up working, so there is less money coming into the household, and their partner may have had to give up work to help to care for them. Their PIP award, which should be helping with the additional costs associated with their impairment, is stuck in an enormous backlog.

I know that it is easy to criticise. The Scottish Government does it as well. But it is not sufficient for the Scottish Government simply to say, "Halt the roll-out." We need alternative proposals. Labour has committed itself to reviewing and reforming PIP and we would urgently address the backlog in claims so that disabled people get the money to which they are entitled.

Margaret Burgess: Will the member give way?

Jackie Baillie: I will in a second.

The SNP's alternative proposals are vague and uncosted. The expert group's report suggested a new benefit to replace DLA, but it gave no idea how much it would cost or who would be eligible, and experts have suggested that there would be a need for wholesale reassessment of individual disabled people. I do not think that any of us in the chamber would want the fear and uncertainty that that would create.

I am happy to give way to the minister if she can tell us what her proposals would cost and what the alternative would be.

Margaret Burgess: Jackie Baillie has outlined the huge problems with the delays in PIP awards and assessments. Does she not accept that it would be better to halt the roll-out until they get

that sorted out and get those awards out the door to people who are in hardship? Given Labour's position, why will it not commit to halting the roll-out of PIP?

Jackie Baillie: The record will show that the minister failed to offer any solutions or say what the SNP proposes to do and what it would cost. It needs to take responsibility. If people call for the halt of something, they need to be clear about what they would put in its place. How would the SNP get the money to disabled people, which after all is what should be happening?

Labour has made pledges to disabled people. We would scrap the bedroom tax, which hits disabled people disproportionately, as the minister rightly said—I am only sorry that the SNP Government took a year to make up its mind on the issue. We would devolve control over the work programme in Scotland, which we know is failing disabled people, with only one in 20 securing employment. We would transform the work capability assessment and involve disabled people in its design. We would urgently tackle the PIP backlog, and we would make rights a reality for disabled people in Scotland, because we recognise that if we are to secure transformational change, we need a rights-based approach.

We would use the power that the Scottish Government has to improve the lives of disabled people. What is missing from the motion is any mention of the Scottish Government's responsibility for policies and services that have an impact on disabled people's lives.

Let me give members one or two examples. First, housing adaptations are essential for many disabled people. The Scottish Government cut the budget for adaptations and then restored it, but there remains a real-terms cut. When homes are adapted, it means that disabled people can stay at home, near their friends and family. The approach protects not only the public purse but people's dignity and ability to live independently in their communities. Adaptations such as grab rails and stair lifts can save the national health service thousands of pounds and should be a key part of the Government's strategy on prevention. Cutting the adaptations budget is short-sighted and means that we run the risk of people being transferred to care homes, hospitals and other costly institutions when that could be avoided.

Secondly, thousands of people across the UK might lose out on concessionary travel, whether we are talking about the companion travel card or eligibility through a passported benefit. In response to questions that I asked, the Deputy First Minister said that disabled people in Scotland will not lose out, because everyone who is currently eligible will continue to have access to concessionary travel, irrespective of welfare

reform. I welcome that, but will the minister update us on how the approach is being taken forward and how many people have benefited so far?

Thirdly, the independent living fund is now devolved to the Scottish Government. I know that we are awaiting a court decision about the closure of the fund, but in the meantime we have little idea of how the fund will operate in Scotland. Will all existing claims be honoured? How will new applicants be assessed? Will the extra money announced by the Deputy First Minister be available next year? Will it be match funded by local authorities? If it is not match funded, there will be a danger of the increase being swallowed up by reductions in local authority contributions towards care packages.

I am told by the Scottish Parliament information centre that £35.4 million is to be transferred. With the additional £5.5 million, the fund will stand at £40.9 million. The average annual payment was £18,000, so either the fund will support around 2,300 claimants—or 600 fewer people than were supported previously—or the average payment will reduce to £14,000. I would be grateful to know which option the minister will pick,

I want to mention Gordon Aikman's campaign about motor neurone disease, and I associate myself with Christina McKelvie's comments. The Scottish Government must act, particularly on care charges, which I will talk about in the time that remains. Care charges—otherwise known as Scotland's care tax—cover charges for care services that help people under the age of 65 who are in non-residential care. We are talking about people who are living independently at home, the majority of whom are disabled.

Councils are increasingly introducing care charges rather than cutting services, in an attempt to protect the most vulnerable. We know that councils are faced with huge budget cuts, due to the underfunded council tax freeze. Not only is the resource being squeezed by the Scottish Government but the application of charging is wildly inconsistent. Care charging is all over the place. There are different criteria on what income is counted and there are different prices in different places. We are beginning to see care tourism, whereby people choose to move between local authorities.

Scotland is too small to have such wide variations. I have raised the matter with ministers in the past, and I think that Shona Robison set up a joint working group with COSLA but, three to four years on, little has changed. Quite simply, care charging is a tax on disabled people. Some people would argue that it is a breach of human rights; it is certainly not fair.

The Scottish Government can act on that, and now is the time to do so. Health and social care integration will be effective from April. The Scottish Government has been warned that it is combining two different systems without sorting out the underlying principles, which is a recipe for confusion. The national health service treats people according to need; someone is assessed and treated and no one asks about their income. With social care, the person's needs are assessed but, before it is decided what service they will get, their income is also assessed and charges are applied. Those are two very different outcomes, and that must be sorted out before integration proceeds. Here is the opportunity to do that.

Fifty million pounds is a small amount of money, and the Government could cancel Scotland's care tax if it wanted to do so. It could provide certainty to disabled people about the support that they will receive in order to live independently, and that would be a real achievement. If the SNP spent as much time on reforming the things that it is responsible for as it does on attacking and blaming everyone else, just think what we might achieve for disabled people in Scotland.

I move amendment S4M-11494.3, to leave out from "and calls on" to end and insert:

"; recognises the need to reform PIP in order to support independence for disabled people, rather than cutting costs and restricting support; regrets the UK Government's failure to seriously consult and respond to disabled people's concerns about the eligibility criteria; further regrets the delays in assessment that have caused disabled people stress and hardship; recognises that the Scottish Government has a range of policy and service responsibilities for disabled people, and believes that there is an urgent need to review support and, in particular, charging for care services."

The Deputy Presiding Officer: Before I call Nanette Milne, I inform members that there is a modest amount of time available for interventions to be made and taken.

15:05

Nanette Milne (North East Scotland) (Con): In approaching the debate, I had hoped that it would be constructive rather than acrimonious, but judging from what I have heard so far, that is unlikely. I will focus on what the UK Government is doing to help and support people with health problems and disabilities to achieve what most people want, which is the dignity of being in employment so that they can support themselves and their families.

For most of my young life, my father suffered from serious cardiovascular problems and was without permanent work in difficult economic times, so he picked up whatever temporary work he could in order to avoid being dependent on

state benefits. My mother took in boarders to pay the mortgage because my parents did not want to live in social housing. I lost my Dad when I was just 19 and he was in his 50s. I am all too aware of the pressures of low income on the lives of people with poor health and disabilities, and I share the UK Government's ambition to give them the help and support that they need.

Welfare reform in general was, in order to address the inequalities in the benefits system, a key plank of the Conservative manifesto at the last general election. For some people in Britain who are on benefits there is a belief that the financial risks of moving into work are too great, so greater incentives to encourage those people to start paid work are needed. The long-term intentions are to make the benefits system fairer and more affordable; to reduce poverty, worklessness and welfare dependency; and to reduce fraud in the system, which has gone on for generations.

Turning to the specific issue of the impact of welfare reform on people with disabilities, I will dispense with some of the alarmist terms such as "damaging and destructive" that are used in the motion. The UK Government is committed to providing the necessary support for disabled people through a range of programmes.

Mike MacKenzie (Highlands and Islands) (SNP): Will the member take an intervention?

Nanette Milne: I do not think that I have time to take interventions. I will see how the time goes.

The access to work scheme provides practical and financial support to meet the additional costs that are faced by individuals whose health or disability affects how they do their job. It is tailored to individuals' needs and can include travel to work, support workers and specialist aids and equipment. Access to work does not replace the duty that an employer has under the Equality Act 2010 to make reasonable adjustments; rather, it provides support over and above that. Generally, it is available to individuals who are in, or who are about to start, paid employment or a Jobcentre Plus work trial, and whose disability or health condition affects how they do their job. Eligibility for the scheme has expanded to cover a number of opportunities that help people with disabilities to prepare for employment, including work experience, supported internships and traineeships.

Mark McDonald (Aberdeen Donside) (SNP): Many disabled people were employed by Remploy factories throughout Scotland. As a result of the closure of those factories by successive Westminster Governments, a large number of those people are unemployed. Surely Nanette Milne must recognise that such policies have a

directly negative impact on disabled people and their employment prospects.

Nanette Milne: I am well aware of the Remploy issues. There are bound to be some repercussions when a welfare system is changed, but the ultimate intention is to make disabled people better off. I fully expect that that will happen.

The amount of help that is available under the access to work scheme depends on individual need and personal circumstances. The award will also vary depending on how long recipients have been employed, what support they need, the size of the employer and whether they are self-employed. In 2013, the scheme supported 35,400 disabled people throughout the UK to keep or to get employment, which is better than their being out of work and claiming benefits, because most people want to be in work.

Another strategy that has been developed by the UK Government is disability confident, which was set up to break down barriers, to challenge prejudices and to help people into work and reach their potential. More than 1,100 employers have signed up to the campaign, with businesses as diverse as Honda, Sainsbury's, Barclays, Asda, Marks and Spencer, easyJet, BP, the Royal Mail and Balfour Beatty having committed to changing their employment practices with regard to disabled people.

The Scottish Government motion seeks to discredit the introduction of the PIP, which replaces disability living allowance—a benefit that is not only complex, but is outdated in respect of the needs of people with disabilities. PIP will include an assessment of individual needs, and aims to ensure that financial support is targeted at those who face the greatest challenges to living independently.

There are no savings coming to the Government from changes to disability premiums, and any money that is saved will be recycled back to disabled people.

Throughout the process of developing the new benefit, the UK Government has listened to the feedback that it has received and has made significant changes to the assessment as a direct result. That includes holding one of the biggest-ever consultations at the Department for Work and Pensions.

It is worth remembering that UK Government figures show that most people who claim DLA have conditions that change over time, but 71 per cent of people get DLA for life without any in-built systematic checks. That has led to hundreds of millions of pounds in overpayments and underpayments.

Despite what the Scottish Government's motion states, without reform by 2018 the number of DLA claims would rise to 3.6 million. That is about one in every 17 people and more than three times the 1.1 million who received the benefit when it was created in 1992.

Our considered amendment recognises that there is a backlog in the PIP assessment process, but it would be wrong to suggest that the British Government is sitting on its hands and ignoring the genuine concerns of people in the sector, because it has made significant changes to speed up the process. The changes include more assessors and assessment centres, extended working hours, evening and weekend opening and clearing the oldest cases first.

The minister should recognise that although significant work remains to be done to remove the backlog of PIP assessments, performance is improving, with the latest figures showing that 37,200 cases across the UK were cleared in July 2014, compared with 2,300 cases in the same month last year.

Instead of spreading fear about welfare reform for disabled people through the use of selective figures, the Scottish Government should acknowledge that the necessary action that has been taken by the British Government has the potential to deliver positive change and improve the lives of people with disabilities.

I move amendment S4M-11494.2, in the name of Alex Johnstone, to leave out from the first "notes" to end and insert:

"recognises that the replacement of disability living allowance (DLA) with personal independence payment (PIP) will result in the better targeting of support to those in greatest need and that many who have been receiving DLA will now be supported through other benefits to make their way back into employment; acknowledges that significant work remains to be done to remove the backlog of PIP assessments, but believes that, while this transition may be difficult, it has the real potential to deliver positive change and improve lives."

15:12

Annabelle Ewing (Mid Scotland and Fife) (SNP): I am pleased to have been called to speak in this important debate, both from the perspective of my membership of the Welfare Reform Committee and as a deputy convener of the cross-party group on disability.

We heard a lot during the independence referendum campaign from the no politicians about pooling and sharing of resources, but we did not hear so much from them about the realities on the ground as far as, to take one example, the welfare system is concerned. If we had, we would have heard about how the welfare system is being dismantled at Westminster before our very eyes,

and about the devastating impact that withdrawal of the safety net is having on the most vulnerable members of our society.

In particular, had we heard from the no politicians about the realities on the ground, we would have heard about the disproportionate impact of their Westminster policies on disabled people in Scotland. Indeed, further to a Scottish Government report that was published in August on the same subject, and which we discussed in a debate a few months ago, it is clear that more than 100,000 people in Scotland will lose disability benefits as a result of the move to replace disability living allowance with the personal independence payment. Specifically, in terms of current information, 105,000 disabled people will lose at least £1,120 a year to that Westminster policy and, within that figure, some 47,000 disabled people who are eligible for the enhanced rate mobility component are expected to lose up to £2,964 a year. For the individuals who are affected and their families, that will mean not only the loss of much-needed financial support, but an unwanted and negative impact on their quality of life.

Speaking of quality of life, what can be said of a system whose roll-out is causing such anxiety and distress to disabled people through the astonishing delays that are now built in to the administrative processes that are involved in making an award of benefit? I refer to Citizens Advice Scotland's report of October this year on the impact of delays on personal independence payments, which was one of its "Voices from the Frontline" series of reports. The report shows that as well as delays in sending out the form that must be filled in—in which one citizens advice bureau noted a three-month delay—there are delays in securing assessments. A six-month delay is cited as being far from unusual. There are further delays, which in some cases are considerable, in decisions being made and communicated. In some cases, no money comes into the household throughout that period and bills continue to mount. Applicants are being placed in financial difficulty—many are suffering severe financial hardship as a result, which is totally unacceptable.

Quite rightly, that process has been much criticised. I submit that such delays fly in the face of the rights of disabled people under equality legislation. In my view, the disproportionate impact of the UK Government's welfare policies on disabled people should also be considered alongside equality legislation. In that regard, it is interesting to note that the UK Government has thus far refused to commission an assessment of the cumulative impact of welfare changes on disabled people, despite requests for it to do so from organisations including Inclusion Scotland. Perhaps that is because the UK Government

hopes that people will simply forget the prime motivation behind the welfare changes and the introduction of the PIP, which was the intention to achieve an across-the-board cut of 20 per cent cut in the welfare budget for disabled people.

What can we do for disabled people in Scotland as far as the welfare changes are concerned, given that, as we have heard again today, neither Labour, the Tories, nor the Liberal Democrats will halt the roll-out of PIPs? Perhaps we can take some hope and inspiration from the infamous 11th-hour “panicked” intervention in the independence referendum that is otherwise known as “the vow”. The vow, which was signed by the UK Prime Minister, the Deputy Prime Minister and the leader of the Opposition, promised extensive new powers for this Parliament. I submit that, on welfare issues, it is important to examine what is needed from the devolution process to ensure that Scottish priorities and preferences can be addressed.

At yesterday’s meeting of the Welfare Reform Committee, at which a panel of academics discussed the Smith commission process, I suggested that it might be useful to start from first principles and to consider what we should be trying to achieve by means of social security provision in Scotland. In that regard, it is worth recalling that, in paragraph 4 on page vii of its report, the expert working group on welfare concluded:

“A progressive and modern nation is one that, among other things, recognises the importance of an effective social security system to social cohesion and the health, wellbeing and life chances of its population. It should be a safety net, and importantly, a springboard to a better life wherever that is possible.”

That must be our starting point. Therefore, a halt must surely be called to the roll-out of the PIP in Scotland so that we do not prejudge the outcome of the Smith commission process. All of us in the Scottish Parliament have the opportunity to act where Westminster has failed. In addition, I argue that all of us have a duty not to leave the vulnerable people in our society to the mercy of Westminster cuts.

15:18

Rhoda Grant (Highlands and Islands) (Lab): I draw members’ attention to my entry in the register of interests.

People who live with disabilities are often the most vulnerable in our society. They face discrimination with regard not only to physical access, but to access to work and social activities. If we are serious about building a fairer and more inclusive Scotland, we need to deal with that discrimination and to enable and empower disabled people to take their rightful place in

society. Welfare benefits for disabled people should be about facilitating that and helping them to break down barriers, but they often appear to create worry and hardship for them.

No one is saying that our welfare system should not be reformed in order to keep pace with the needs of the 21st century, but reform should never be a byword for cuts. Reform should be about making systems more accessible, and about improving the lot of those who need assistance.

However, that does not appear to be the case. We can add to that the increasing costs that disabled people now face in accessing the basics of social care at home. We have learned that they are the new council tax payers. As councils face budget cuts, they have to choose either to cut services or charge for them. Councils that are starved of cash are increasing costs to disabled people for the assistance that they need to survive and go about their daily lives. The Scotland against the care tax campaign has petitioned Parliament and has presented figures that show not only that the services could be affordable, but that, in the longer term, they might represent a saving.

It is surely a human right to be able to access society regardless of disability; a charge should not be incurred for that. It should be free at the point of need. That is the challenge to which we should all face up. We should not settle for the postcode lottery of charging for care, nor should we have the terminally ill paying for their own care. We need to deal with the issues at hand. It is simply wrong that the most vulnerable people in our society face higher costs and service cuts, while the wealthy enjoy tax cuts from the Scottish Government.

Annabelle Ewing: Does Rhoda Grant accept that the Cabinet Secretary for Health and Wellbeing has made it clear to local authorities—including, I presume, Labour local authorities—that it is not on to charge terminally ill individuals for care, and that no charges should be made?

Rhoda Grant: I accept that the cabinet secretary might have said that, but he has not paid for it. The underfunding of local authorities means that the most vulnerable people in our societies have to pay. If it is serious, the Government cannot pass the buck. It needs to stand up and take responsibility.

Bob Doris (Glasgow) (SNP): Will Rhoda Grant give way?

Rhoda Grant: No. I am not taking another intervention.

It is absolutely disingenuous to castigate colleagues not only in local government but in Westminster for cutting welfare when the SNP

Government is doing exactly the same surreptitiously. Both our Governments are letting down the people that they should protect. It is surely long since time that we faced up to the hard choices that we need to make in order to protect those people.

Citizens Advice Scotland tells us about unacceptable delays that people who apply for personal independence payments face, which cause severe hardship. Access to PIP can lead to access to other benefits, too, so a delay means exclusion from them. Living expenses tend to be much higher for disabled people, who require to pay for many aspects of their social care and are dependent on accessible modes of transport, which often cost much more.

We also need to bear in mind the fact that the information that we have about the hardship that disabled people experience does not always give us the full picture because, as Inclusion Scotland tells us, many disabled people are unable to mobilise in their own defence and often do not tell when they experience hardship.

The Scottish welfare fund should help vulnerable people who are waiting for the outcome of their PIP and benefit claims, but it is not designed for that. The Scottish Government's guidance on access to the fund does not take those delays into account. It restricts access to crisis grants to only three in 12 months. If somebody is waiting six months for their PIP application to be approved, they will clearly need more crisis support throughout the process. The guidance needs to be reviewed and changed to provide a safety net for people who are in that situation. Perhaps funds could eventually be clawed back if a claim was upheld and backdated, but the support should not be dependent on repayment, because those who are most in need would be afraid to access it in case their claim was turned down and they incurred a debt for the future.

The Scottish Government always wants more welfare powers, but does not use the ones that it has to help the most disadvantaged people, so it needs to review the welfare fund as a matter of urgency.

It should also be a human right to access work, have the fulfilment of contributing to society and receive the benefits that that brings. However, disabled people are discriminated against in the workplace. It is sad that only 0.5 per cent of disabled people access the Scottish modern apprenticeships, although they make up 20 per cent of the population. We need a person-centred access to work programme that helps an individual to achieve an outcome and to overcome the barriers that exclude them from the workplace.

Assistance will vary with the individual, but at its heart we must have the ability of people to work and to sustain their employment. Surely this is about a human right and equalities. It is also about making workplaces representative. If more disabled people work, people get used to the impact of barriers on them, and so are less likely to build such barriers in the future.

Discrimination is rife in our society, and during hard times a blame culture emerges. That is something that we find with the rise of nationalism, where immigration is blamed. However, we also find it in a mindset that increases discrimination against those who need most support from our welfare system. I find it appalling that disabled people face the backlash. That is unacceptable and should not be tolerated. It falls to us all to confront discriminatory attitudes and to build a fairer, more inclusive Scotland.

15:25

George Adam (Paisley) (SNP): I, too, am extremely glad to take part in the debate. My involvement is personal, as my wife Stacey has multiple sclerosis and, as most members will know, I am chair of the cross-party group on MS. Because of my personal involvement, I have had dealings with various groups throughout my time as an activist and a politician, both locally and nationally.

I asked the Scottish Disability and Equality Forum to give me some information on its views on the current debate. The SDEF instantly sent this back to me:

"The SDEF would like to see the welfare system transferred completely to the Scottish Parliament as this is the only way that disabled people will have a life without discrimination and cuts."

In that one paragraph, the SDEF has summed up exactly what the debate is about: the extra powers that the Parliament should receive.

I have said in various debates that the Smith commission has a lot to deliver and, as my colleague Annabelle Ewing said, it has to deliver on the vow. Part of that commitment was the idea that the Scottish Parliament would have the powers to be able to make transformational change in our society. The minister has already said that if we had more powers, we could scrap the bedroom tax, ensure that the national minimum wage increases at least in line with inflation and scrap the roll-out of the personal independence payment, although that is something that the Labour Party does not seem to want to do, because none of its members has said anything on the subject.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Will the member take an intervention?

George Adam: Excuse me; I will just make this point.

Rhoda Grant has just said that we should not castigate a Tory Government. I am sorry, but my constituents and the people who have disabilities in Scotland are asking me to represent them in the Scottish Parliament and ensure that we make their voice heard. If Ms Grant wants to take that comment back, Presiding Officer, I would be happy for her to do so.

Dr Simpson: Thank you—[*Interruption.*]

Rhoda Grant rose—

The Deputy Presiding Officer (Elaine Smith): Mr Adam, which intervention are you taking?

George Adam: I am taking an intervention from Ms Grant.

Rhoda Grant: Mr Adam misquoted me. I said that it was disingenuous for his party to castigate the Westminster Government when it was doing exactly the same thing.

George Adam: We will check the *Official Report* and take it from there.

One of the things about being in government is the responsibility that we must take here in Scotland. That is what the extra powers are and that is what the people of Scotland want.

A recent Panelbase poll showed that 75 per cent of people want the welfare and benefits system to be devolved to the Scottish Parliament. That shows us the powers that people want. The promise was that, after 19 September, everything would be changed—that Scotland would be changed for ever. In reality, there are 105,000 working-age disabled people—some of them will be on disabled benefits from 2018—who will lose £1,120 per year. That includes 47,000 disabled people who receive the enhanced rate mobility component, which is something we must look at.

The MS Society recently produced a paper on the fact that it is difficult for people with MS to be seen, and one of the problems with the PIP system is the fact that those who are assessing people with disabilities do not understand, or take into consideration, an individual's condition. There are constant complaints; I have one example here. It states:

"I was lucky to have support but they do make it really difficult. They don't respond to letters. I've written to them umpteen times. You're left wondering did they even get my letter?"

Such people are dealing with the DWP while going through a very difficult situation. With a long-term condition such as multiple sclerosis, worry and stress can trigger an attack. People who have gone through the system have told the MS Society

in Scotland that, when they come out the other end, they feel as if they have had an MS attack.

Is that the type of Scotland that we want to live in? The Labour Party in particular should back the Scottish Government when it says that we must stop the roll-out of the PIP at this stage. We can no longer allow our citizens to be put through that kind of discrimination.

Ken Macintosh: Will Mr Adam give way?

George Adam: Sorry, Mr Livingstone—I cannot remember your name, sir. It is Ken—

Ken Macintosh: Macintosh. [*Laughter.*]

George Adam: I got Ken right, anyway.

We must look at some of the serious issues that people with MS in particular have had to deal with. One member of the MS Society in Aberdeen says:

"You need help and compassion. It's so stressful".

Is this the right system to have in place? Most people with disabilities who have gone through the system end up getting the payment back on appeal later on.

The Tories believe that the reforms will make a difference and that they can make a 20 per cent cut right away, regardless of individuals and their disabilities—it is purely a number to them.

We are dealing with things in the here and now. I am not reliving the independence referendum; I am asking for the Parliament to get the powers that were promised by the parties involved in the no campaign.

I ask other parties in the chamber to back the Scottish Government in saying no to the continued roll-out of the PIP. We are dealing with the here and now, but the problem that we have is that the Westminster elite do not want to play that game. The Westminster election is coming up next year, and they want to go back to the same old Tory-Labour fall-out. However, things have changed dramatically in Scotland, and they must ensure that they give this Parliament the powers that the people of Scotland voted for.

15:32

Jim Hume (South Scotland) (LD): The fact that we have a welfare state shows that we have a social conscience with regard to others who are less fortunate and who may be going through a difficult patch in their lives. Poverty must be tackled by all the instruments that we have to hand, and by financially supporting others in times of need. We also need to make work pay wherever possible. It is not just the Lib Dems in government who say that, but the Scottish Government's expert working group on welfare.

There have been changes to welfare, but it was agreed that the previous situation was unsustainable. Labour left that infamous note in the chancellor's office back in 2010 that said, "There's no money in the kitty—sorry about that."

The fiscal commission working group said that independence would mean that the Scottish Government would have to match the trajectory on debt reduction—a fact with which a certain Mr Swinney agreed.

Let us look at some more facts. Lib Dems in coalition have protected carer benefits and disability benefits so that they rise with inflation, at a percentage point above other benefits. Other benefits, such as the disability living allowance, the personal independence payment, incapacity benefit and the support group component of employment and support allowance, are all increasing by 2.7 per cent. Every year, £40 billion is spent on supporting people living with disabilities in the UK—20 per cent more, as a proportion of gross domestic product, than the European Union average.

As Lib Dems, we take the issue very seriously. It is widely agreed that a simplified and streamlined system of back-to-work support for those who can work has the benefit of one assessment and one budget so that those in need have more control and choice. The Lib Dems in coalition have stopped the worst that the Tories could have done. George Osborne wanted to cut an extra £12 billion from welfare spending, and we put ourselves in a position to stop that dead in its tracks.

Mark McDonald: Are all the charities and organisations that have raised significant concerns about the impact and roll-out of the PIP wrong?

Jim Hume: I quote Inclusion Scotland's briefing, which suggests that

"more people have been successful in claiming PIP and higher rate PIP than the DWP was predicting."

In the three years to 2000, Labour allowed working-age welfare spending to increase by 50 per cent, from £63 billion to £90 billion, which was totally unsustainable. It made reckless decisions, and the rest of us have had to clean up the mess while it retired to Opposition benches across the UK in the hope that no one would notice the damage that it had done. Well, the public certainly noticed.

During the referendum debate, the Scottish Government implied that the welfare changes would be reversed, but there was no explicit mention of that in its white paper. When those of us in opposition hold the Government to account, which is our job, we are often asked, "Where would the money come from?" That works both ways: there was no mention of where a possible

£2.5 billion would come from; and, of course, there was no mention of where an extra £600 million would come from to replace common agricultural policy budgets if Scotland had not got membership of the European Union. It is all chocolate fountains in a Walter Mitty fantasy world. We have an irresponsible Government that takes credit when things go well and blames others when that suits it. It carps from the sidelines about any changes and attempts to gain from them while failing to commit to any reversals.

Last May, the Government's expert working group on welfare reported that payday loans should be tackled. Well, that has already been done by the Lib Dems in coalition. The group also recommended changing universal credit to more universal credit and replacing the work programme with another work programme.

Bob Doris: Will the member give way?

Jim Hume: Sorry, but I am just finishing up.

The group also recommended replacing sanctions with other sanctions. That was bluff and bluster with no real substance. Those who were looking for change from independence must have been left cold at the thought of there being no radical change, just a relabelling exercise. Let us have a reality check. The welfare budget in Scotland within the UK is going up—at £50 billion, that is more than under any previous Government. The SNP promised more spending everywhere, lower taxes and saving in an oil fund, but it did not set out details on its extra spending on welfare in the white paper. Today, we see crocodile tears and populist politics at its worst.

It is vital that those in need get support and that those who can work are encouraged to do so and to benefit from it. Liberal Democrats want to create opportunity for everyone by building a stronger economy and a fairer society. The SNP's white paper on independence failed to identify a £2.5 billion increase in welfare support, and its working group failed to recommend an increase in the social security budget. However, the group did not fail to recognise that welfare spending in Scotland in 2016-17 is set to rise, not fall, by £2 billion. That has not been mentioned by SNP members today—they are economic with the truth again. That rise would have been unlikely to happen under the Tories alone and it would have been unaffordable under the spend, spend, spend approach of Labour, but it has been delivered by the Lib Dems in coalition.

15:37

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): Thank goodness for the Lib Dems, eh? We are all blessed.

Before I get into the meat of my speech, I want to pick up on one point that relates to my earlier intervention on the minister. I was delighted to hear her say that Scottish Government ministers are working with COSLA on guidance on care charges. However, when the cabinet secretary sums up the debate, can she give us some insight into how the Government would tackle the situation should an agreement not be in place by April 2015? I suggest that the Government should consider some form of legislation to intervene on that situation.

Jim Hume talked about a reality check so, okay, we will have one. Citizens Advice Scotland estimates that around one in three disabled people will lose or has already lost some or all of their DLA. That is their reality check. George Osborne, in a coalition Government with the Lib Dems, says that that is a good thing. He says that those people were all expecting money for nothing and that it is time that we saved a bit of cash by getting it back in the Treasury coffers. He might have added that most of the recipients in Scotland will not be Tory voters anyway, so it does not much matter to him.

Since the so-called welfare reforms began, the Scottish Government has done everything that it legally can—that is, everything that Westminster allows us to do—to help to mitigate the impact of cuts and the imposition of the bedroom tax. However, our powers are limited. That is the reality check. Until we secure vital control over welfare benefits, we are stuck with Westminster policies. It does not matter whether it is red Tories or blue Labour in government, the reforms will continue anyway.

People in Scotland die younger and suffer from more disabilities than those anywhere else in the UK—that is a reality check. That needs to change and there are a range of initiatives in place to help to achieve that through support, education and better community services. In the meantime, policy makers in London are eating away at all our efforts and turning back the tide of our improvements. Every step that we take forward is undermined by two steps taken backwards by a Government that we did not elect.

The bedroom tax—introduced by Labour and continued by the Tories—is a clear example of that. First of all, Scotland did not build the smaller council houses or flats of the sort that were built down south. In Scotland, we build homes for families, homes for life, homes that keep communities together.

Many of the folk we are talking about have disabilities and they often have multiple and complex needs. What do they get from London's welfare reforms? Let us make no mistake about it: Labour is today defending the welfare reform

process because it invented it and legislated for it, and the Tories continued it. That process greatly threatens the personal independence of disabled people in Scotland.

A kick in the teeth is all that disabled people in Scotland get from Westminster, irrespective of who is in government, although they might also get a letter like the one that was sent to people with motor neurone disease by Lord Freud—who was appointed by Labour, which is something that Jackie Baillie did not mention, and which I was unable to tell her because she did not take my intervention—telling them to work longer hours or take in a lodger. Lord Freud: the man who thinks that people with disabilities are not worth the minimum wage.

Labour's hypocrisy on welfare reform knows no bounds. I know that most of my colleagues have had the same experiences that I have had in relation to people losing disability benefits or facing the imposition of the bedroom tax. Those people are in absolute despair. We should remember that people with disabilities did not crash the banks. Rich bankers with private healthcare did, and people with disabilities are paying for their incompetence through cuts to life-saving benefits.

The austerity agenda, which all the no-voting parties voted for—it does not matter what any of them say in the chamber today; they voted no, so they voted for austerity—is pushing more and more vulnerable and disabled people to the periphery of our communities. Far from benefiting from opportunities for inclusion, those folk are being isolated and rejected because of their needs. They cannot, and we must not, tolerate that. There are claims that some are even pushed to suicide because of the despair that they find themselves in.

The changes to the criteria that have cost people their benefits do not change the conditions that allowed them to receive DLA in the first place. However, people are being told that, even though all the physical, economic, attitudinal and communication barriers that they faced are still there, they will just have to do without the financial support that previously helped them to overcome them.

The introduction of the PIP, which we have heard a lot about this afternoon, will make matters much worse, especially for those aged over 45. Some 66 per cent of the people we are talking about are in receipt of the current lower rate element of DLA and are set to lose that benefit. Some 65 per cent of the households that are being hit by bedroom tax contain a disabled person—that represents more than 60,000 people.

There is an overlap between some groups of claimants who are likely to lose benefit entitlement, such as recipients of ESA and the lower-rate care element of DSA. Both groups also include large cohorts of people with learning disabilities and/or mental health issues or cognitive impairments. Thus, some—perhaps thousands—will lose ESA as well as DLA. Less money coming in will mean that there is a greater burden on household budgets. The prospect of more people falling into rent arrears should not be ignored. They will lose the incomes that perhaps pay to meet additional care needs, while simultaneously being squeezed by the bedroom tax.

Research by Leonard Cheshire Disability shows that disabled people's living costs are about 25 per cent higher than those of non-disabled people. Only 50 per cent of disabled people are in paid employment, compared with 80 per cent of non-disabled people. Disabled people are twice as likely to be poor than non-disabled people.

I would like to pick up on the point that Rhoda Grant made about Remploi factories. It was a Labour council, under a Labour Government, that closed the Remploi factory in Springburn when I worked with the people who were employed there, before I was an elected politician. People there will never forget that. As is always the case with Conservative policy, whether it is blue or red, it is the most vulnerable and the poorest who are hardest hit. Inclusion Scotland calculates that around £270 million a year will be lost to disabled people by 2018.

To protect disabled people here, we must be able to design and implement policies that work here. That means having full control over all welfare. With the progressive policies of the SNP Government, we can give people the care and support that they need, that they deserve and, moreover, that they are entitled to.

15:44

Ken Macintosh (Eastwood) (Lab): I want to share with the Parliament the experience that a constituent brought to my attention this week, which left me depressed yet again about the impact of the welfare reform programme. My constituent, Russell McMillan, is not someone about whom one would ever use a word like "depressed". He is registered blind and has survived a double transplant, yet he does more to help people in East Renfrewshire than half a dozen supposedly more able-bodied individuals.

Russell benefits from the access to work programme and he is the first to sing the praises of a scheme that allows him to employ a support worker—a driver—for 11 hours a week, which

allows him in turn to continue to hold down a steady job. I am sure that we will hear more this afternoon about the relationship between disability and employment. It is a sad fact that two thirds of blind or partially sighted people of working age are not in paid employment.

Here is a scheme that gets to the heart of what most of us think that welfare reforms for working-age people should be about: helping people to make their own choices and supporting them into employment or to sustain a decent job. Unfortunately, the recent changes to access to work mean that Russell's payments are getting later and later. Instead of being reimbursed at the end of the month, Russell now has to wait and find two months' wages from his own pocket to pay the support worker. When he phoned access to work to raise that concern, he was told that he could no longer speak directly to the access to work team and that the telephone operator would email them and ask someone to contact Russell within 48 hours. That was a month ago and he has yet to hear back.

I appreciate that that is far from the worst case that many of us have heard, but it seems to be all too typical of a welfare system that is plagued with delays, driven by the need to cut costs rather than support individuals and becoming ever more remote from those whom it is meant to serve. Russell said:

"As a blind man I am incredibly grateful for this support, as without it I would be unable to carry out my job, resulting in becoming yet another disabled person who is unemployed. I am not keen to complain, as I have no wish to be seen as ungrateful. However, I do feel the need to raise this issue on behalf of the many disabled people that I believe to be in a similar predicament."

He went on:

"Is this really meant to be the outcome, where disabled people need to go to payday lenders to cover the support worker's wages?"

Whatever the original intentions behind the Tory welfare reform programme, the changes are simply not working on any level. For disabled people, the biggest reform has been the move from DLA to PIP. Introduced in Scotland in June 2013, the reassessment programme has been rolled out to more than half of DLA claimants, but thousands are still waiting to hear a decision on their claim. As Citizens Advice Scotland reported last month, those delays are leading to severe hardship, with the vast majority of claimants saying that the process is having a debilitating effect on their condition and advisers suggesting that a quarter of their cases involve inaccurate decisions that need to be appealed. The National Audit Office, the Work and Pensions Committee and the Public Accounts Committee have all strongly criticised poor performance and unacceptable delays.

Even on the Tories' professed aim to save billions in welfare spending, the Office for Budget Responsibility suggested recently that spending on incapacity benefit is forecast to remain flat for the next five years and that the switch to a new system of assessing disability benefits could result in few savings. This Parliament can unite in calling on the Tory Government to rethink its approach to welfare and recognise that its so-called reforms are hurting the most vulnerable and are not even producing the savings predicted. However, if all that we do is call out the Tories for their shortcomings, we will do this Parliament and disabled people in Scotland a disservice.

We heard evidence yesterday at the Welfare Reform Committee of how complicated and difficult welfare reform will always be. Over the past year, many of us were encouraged by some of the principled thinking behind the Scottish Government's expert group on welfare, yet several witnesses at yesterday's meeting commented that there was little sign of a radical new approach or even an attempt at reform of any of the taxes and benefits so far devolved to the Scottish Parliament.

Annabelle Ewing: Ken Macintosh is of course aware that we were talking about the Smith commission process and that some 65 charities have called for the devolution of welfare. Does Ken Macintosh support those charities?

Ken Macintosh: Annabelle Ewing will know that the Labour Party has called for the devolution of housing benefit, the tenants allowance and the work programme.

I point out that just two months ago we put the question to the Scottish people, who overwhelmingly supported the argument for the pooling and sharing of resources. To hear Ms Ewing trotting out the same arguments that have been totally rejected by the Scottish people is utterly depressing. As we have heard this afternoon, the only thing that the SNP can say is that the answer is to devolve benefits and taxation without saying what it will do with them. It refuses to say that it will increase taxes. The Labour Party would restore the top rate of tax for those who are earning more than £150,000. Will the SNP support Labour in that call and reverse the benefit cuts?

The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights (Shona Robison): Ken Macintosh gave the impression that people who voted no in the referendum were somehow in favour of welfare continuing under the UK Government. Is he really arguing that those people who voted no wish welfare to remain in the hands of the UK Government? Surely that does a great disservice to those many no voters who want welfare policy

to be decided in this place so that we can have a fairer system here in Scotland.

Ken Macintosh: The overwhelming result of the referendum came from belief in the pooling and sharing of resources. That means sharing our communal taxation and paying for our communal benefits. That is the system that we have just voted for. It really worries me that the cabinet secretary does not think that that was the result of the referendum, because for most people it was the overwhelming result. We are going round in circles yet again and hearing the same answers and solutions when the Scottish people have entirely rejected them. That is not an answer to the needs of disabled people in Scotland.

It worries me even more that some of the stress and anxiety that have been heaped on our most vulnerable citizens result directly from decisions that are taken not at Westminster but in this Parliament. In my constituency this week, care providers who are dealing with elderly disabled people or with those who are suffering from dementia have been left reeling from the impact of Scottish Government cuts. On the one hand, worried families are looking at services that are closing and on the other, they are looking at the new Scottish Government care tax, which is an across-the-board, above-inflation rise in charges for the services that remain. The local authority does not even have the discretion to mitigate the cuts, because ministers have imposed a council tax freeze. How can the Scottish Government complain about Westminster diktat when it is even less flexible in imposing its will on our directly elected local authorities?

The Deputy Presiding Officer: Could you begin to conclude, please?

Ken Macintosh: MSPs across the chamber can come together in opposing damaging welfare reforms, but we need to put our principles into practice. The SNP has been in power for more than seven years, and the Scottish people expect more from their Government than it just railing against the Tories. They want it to say something about what it can do, not about what it cannot.

15:52

Mark McDonald (Aberdeen Donside) (SNP): I note my interest in the topic, in that my son is a recipient of disability living allowance.

We hear a lot about the necessity of reductions in the welfare budgets. A situation that is not of the making of the poorest and most vulnerable in our society nevertheless leaves them as the ones who disproportionately bear the brunt. Apparently we are all in this together, if we listen to Westminster politicians, but I would quite like to see some of the comfortably wealthy who get away with

avoiding paying their fair share of taxation being pursued with a scintilla of the zeal with which the vulnerable and the voiceless appear to be being pursued by the UK Government. That would be at least a start on living up to that rhetoric.

Dr Simpson: Will the member take an intervention?

Mark McDonald: I have to make some progress, if Dr Simpson will allow me to.

All too often those folks are the ones who do not have the ear of prominent members of the UK Cabinet, so unfortunately it is tough luck for them.

One way in which we can reduce benefit expenditure is by increasing the amount that people are paid for working, which reduces their requirement to rely on in-work benefits such as tax credits, which make up a significant part of the welfare budget. However, we know that successive Westminster Governments have not raised the minimum wage in line with the cost of living or with inflation.

It is sad to see that the Labour Party cannot find it within itself to make common cause with the Scottish Government. Instead it chooses to turn its fire on the SNP and the SNP in government. We know that the reason for that is that, while it is undoubtedly the policies that are being pursued by the Tories at Westminster that pose a significant threat to the vulnerable, recent polls show that the Labour Party sees that the SNP poses a threat to its comfortable position at Westminster and it is more concerned with protecting itself than with protecting the vulnerable in society.

It is not too late for the Labour Party to come to its senses and back the Scottish Government's position on PIP at decision time, but perhaps it is the case that, as with the bedroom tax, Labour members need to wait for Ed Miliband to make up his mind and tell them their position on that.

Dr Simpson: Will the member give way now?

Mark McDonald: No, because—

Dr Simpson: Oh!

The Deputy Presiding Officer: Order, please.

Mark McDonald: I want to move on to some important case studies that I think highlight the reasons why PIP needs to be halted in the way the Scottish Government has called for.

Last week, the Child Poverty Action Group in Scotland had a stall in Parliament, and the information that it was handing out on its early warning system contained a number of case studies. In one,

"A father with dyslexia, spinal arthritis and COPD was sanctioned for not attending a work-focused interview. He had told the jobcentre in advance that he didn't have

enough money to get to the office, as it was not local to him. He was told to walk to"

the

"appointment, but was unable to due to health conditions. He was sanctioned for 13 weeks"

as a consequence. In another case study that was highlighted,

"One client made an application for the enhanced (higher) rate of PIP, which was refused. The subsequent mandatory reconsideration was also unsuccessful. The client then lodged an appeal. The DWP got in touch with her at this point and offered the client the standard (lower) rate of PIP"

on the condition that she

"drop her appeal."

Frankly, I find that scandalous, and it shows that something is clearly rotten in the system.

As members know, I have a keen interest in autism issues. Unlike many conditions that present, autism is not visible; people with autism do not carry a stick or use a wheelchair, but they nevertheless have to deal with significant challenges. I have received a copy of the National Autistic Society's response to the independent review of personal independence payments, which was produced in September 2014. It says:

"We are extremely concerned about the implementation of Personal Independence Payment. While we have had contact from a relatively small number of people going through the PIP assessment process, their pooled experiences highlight a number of serious problems, including severe delays and poor administration.

People with autism and their families are experiencing very lengthy delays in their claims. This is creating high levels of stress and anxiety, for a group of people that are already likely to experience high levels of stress or anxiety. The delays are also impacting on people's ability to lead active and fulfilling lives – this is contrary to the policy intention behind PIP."

According to its paper, of the people to whom the National Autistic Society spoke:

"Over half ... said it was either 'difficult' or 'very difficult' to start a claim for PIP. Only 9% said it was 'easy' or 'very easy'.

Almost 4 in 5 ... required assistance from someone else to start a claim over the phone.

Just over 4 in 5 ... reported that they were not aware of the different ways to start a claim for PIP if they were unable to do this over the phone.

Just under half ... who needed to claim PIP through an alternative method were not provided with this.

Almost three quarters ... said they found completing the PIP form 'difficult' or 'very difficult'.

Of those who answered the question, almost all ... said that they did not know that they could ask for extra time to complete the claim form."

The society's response also contains a couple of quotations from case studies. One person said:

"I have problems using the phone which lead me to suffer extreme anxiety and meltdowns so my husband makes calls on my behalf. He called about starting my claim and explained this to the person on the phone but they said that if he didn't hand the phone over to me, I would not be allowed to put the claim in."

Another said:

"I had written and asked for a form, but this was not sent so I had to phone which is something I find extremely stressful. The telephone menus were infuriating."

A third person said:

"I had to make countless phone calls ... just in order to get an appointment for a consultation. No-one told me I could have a home visit."

In another case study that was highlighted in the National Autistic Society's response,

"A has a learning disability and autism and has recently turned 16. A family member has applied for PIP both with him and on his behalf. When his application eventually made it to the assessment provider ... he was given an appointment date at an assessment centre. Unfortunately, due to his learning disability and autism, he needed a home visit. When a family member contacted the"

assessment provider

"they were told that a home visit was not available in the next six months. Because appointments can only be booked six months in advance, A's family member was told to simply wait until an appointment became available."

None of that is good enough. I have other case examples that I can highlight, Presiding Officer, but I realise that I have run out of time. All I will say is that PIP needs to be halted because the system clearly has endemic problems that are causing disabled people in Scotland great stress and anxiety, and we cannot allow to continue the roll-out of a flawed system that will only add to that burden for our disabled people.

15:59

Bob Doris (Glasgow) (SNP): Before I make progress in my speech, I want to refer to a particular comment that did not sit easily with me. That was the accusation of populism. If defending the most vulnerable people in society is populist, I will be populist every single day of the week for the people whom I represent. *[Interruption.]*

The Deputy Presiding Officer: Order, please.

Bob Doris: I support the Scottish Government's motion in defence of the many thousands of my constituents across the Glasgow region who are disabled and feel directly in the firing line of a UK Tory-Lib Dem Government. They tell me that that is how they feel.

With Scottish independence, there would have been a halt to the roll-out of personal independence payments, of course. That is simply factual. There was complete clarity on that. Let us be clear: that would have protected 105,000

disabled adults from an income cut of at least £1,120. We are dealing with facts. Reforms to the mobility component of that benefit are likely to mean that 47,000 disabled people will be up to £2,964 worse off. They would have been protected with Scottish independence. That was a factual assertion. Clarity was given.

I accept that there was a no vote in the referendum, but I still have a duty to seek to protect my disabled constituents, and I have to consider how I can best do that. We know that the Con-Dem UK Government will not provide them with any protection. With the UK Labour amendment that is before us, we have confirmation yet again that a Labour Government at Westminster would not provide them with any protection, either.

With its amendment, Labour refuses to support SNP and Scottish Government calls for the PIP roll-out to be halted. Again, let us be crystal clear. That means that Labour is refusing to support calls to protect 105,000 disabled Scottish citizens, many of whom are constituents of mine.

Ken Macintosh: Will the member take an intervention?

Bob Doris: Perhaps later.

That means that Labour, too, is putting constituents directly in the firing line.

We have heard requests to find out what the Scottish Parliament and the Scottish Government would do differently. The expert working group, which has been mentioned, looked at the matter and made suggestions. I fully and readily admit that it did not give every specific detail, but for me, that was a strength. I readily acknowledge that much still has to be worked through, but that can be done only if we halt the roll-out of PIP, protect the most vulnerable and get it right before we recommence with any reform of the welfare system.

Labour seems to be saying that PIP is wrong, but it will slam the pedal to the metal and accelerate PIP reform and the pace at which the most vulnerable people in Scotland will be attacked. We have to halt the damage if we want to protect the most vulnerable.

Ken Macintosh: It is clear that that is not what we are not saying. One of the measures that we propose that would help to reverse any cuts to welfare is increasing the top rate of tax on those who earn over £150,000. Given that the cabinet secretary refused to endorse that Labour policy, will Bob Doris do so on behalf of the SNP?

The Deputy Presiding Officer: Mr Doris, I reimburse your time.

Bob Doris: Thank you very much, Presiding Officer.

I endorse all proposals to bring all forms of progressive taxation to the Scottish Parliament so that we can protect Scotland's most vulnerable. If only Mr Macintosh would do the same.

I want to talk about some personal reflections on how we could reform the system and my feelings in relation to it. I have many friends who are impacted by it.

Three words come to mind: culture of fear. I know many disabled people who want to get better—I am sorry; I apologise for the language. I should not have said “want to get better”. I should have said that I know many disabled people who would wish to seek employment but they are terrified to do so, because as soon as they say that they would like to do that, their benefits are stopped. Some people wish to be unwell for economic reasons.

In the past, there was a 104-week linking rule. It was not perfect, but that is an example. If a person moved off incapacity benefit and into employment, in certain circumstances if the work placement broke down they would immediately go back on to their previous benefits without an impact. That no longer happens, but it was a very good idea that perhaps should have been extended rather than eradicated, because it would give people who are living with disabilities a positive reason to seek employment if they could rather than their being too terrified to maximise their potential because they would be economically sanctioned for being brave enough to try. That is a concrete example of a progressive approach that I would like to be implemented if the Scottish Parliament controlled the tax and benefit systems for Scotland.

It is wrong that carers allowance is the lowest form of benefit in Scotland. If someone gives up their work to look after a loved one, they get 10 quid less a week than they would get if they were just looking for work. That is just wrong. Why can this Parliament not do something about that? Why do we not have the powers to address that? Let us get the powers to this Parliament to have a proper welfare and benefits system. We must address that.

I received a briefing from Ian Hood regarding the Scotland against the care tax campaign on care charges, to which the Labour amendment refers. Ian Hood suggests that abolishing care charges—of course we would have to see how we could do that—could cost as little as £22 million. I will read out from his paper some information about his modelling work. First, the briefing says that

“two additional sources of income will benefit the Scottish Government if new devolved powers over Income Tax and VAT are delivered.”

It goes on to say:

“The Scottish Household Survey puts the figure for the number of carers in Scotland at the level of 657,000. Of this 46% had given up work to care, 22% had reduced working hours, 17% had taken a less qualified job or turned down a promotion to care and 10% had retired early to care. If only 1% of this number were able to take up employment as a result of a change to the care charging system then the additional income tax and National Insurance payments would be in excess of £20 million.”

The Deputy Presiding Officer: Please begin to conclude.

Bob Doris: I am incredibly sympathetic to having no one pay care charges in Scotland.

It is absolute hypocrisy from the Labour Party to demand the abolition of care charges as Scotland's budget is absolutely slashed. I read out a suggestion from a coalition that wishes care charges to be abolished, but that would require the tax and benefits systems to be given to this place and the Labour Party stands in the way of that.

The Deputy Presiding Officer: You must close, Mr Doris.

Bob Doris: It also stands in the way of helping the most vulnerable people in society, but the Scottish National Party does not and the Scottish Government does not. I support the motion.

16:07

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I am pleased to participate in this debate.

One of the SNP speakers referred to the phrase “all in this together”, which must certainly rank as one of the most hypocritical statements by a Government in recent times. A Government that cuts welfare to meet a deficit and not to improve the fairness of the system, that reduces tax for those earning over £150,000 a year, and that fails to tax bankers' bonuses is not one that subscribes to values that I recognise.

In relation to what SNP members have been saying, I point out that the Scottish Government has frozen the council tax for seven years, giving people like me three times the benefit that people with the lowest level of housing have received, which is not progressive.

Mark McDonald: Will the member take an intervention?

Dr Simpson: No. I was refused three times, including by you, when I tried to intervene earlier. I am not taking interventions.

The Deputy Presiding Officer: Through the chair, please.

Dr Simpson: Sorry, Presiding Officer, but they refused me, so I do not see why I should take interventions.

The SNP is not committed to a 50p rate of tax and almost every single one of the Scottish Government's populist giveaways is not progressive, because they benefit least those who are the least well off. That cannot be denied. I have challenged the SNP repeatedly to say which of their measures are actually progressive. They are not progressive.

Shona Robison: How about the 100,000 households, including 32,000 families, who have been helped through the Scottish welfare fund over the past year? What about the 537,000 vulnerable people who have been protected from increased council tax liabilities? What about the 71,000 households affected by the bedroom tax? What about the 72 projects that are supporting 20,000 people through advice services? There are a few examples for the member.

Dr Simpson: The minister has made her point, but it is wrong, because I am talking about fiscal measures. Not a single one of the fiscal measures that the Scottish Government has adopted is progressive, and the minister cannot deny that. The fact that we have been named as having the lowest maintenance grant in western Europe is an absolute disgrace. How does that benefit—

Shona Robison: Will the member give way?

Dr Simpson: No. I have taken an intervention already.

It is clear that the UK coalition—[*Interruption.*]

The Deputy Presiding Officer: Order, please, on the front benches.

Dr Simpson: It is clear that the UK coalition Government is intent on making work pay not by improving wages and living standards for those in work but by cutting welfare for those who rely on it, and people with disabilities are often the poorest paid.

I am particularly concerned about people with mental health problems, relapsing and remitting conditions of a physical nature, learning disabilities, autism and attention deficit hyperactivity disorder, who are being hit particularly hard by the reforms that are being undertaken. George Adam and Mark McDonald have already alluded to that. Many people who have chronic mental illnesses will experience significant variation in their disability. To take bipolar disorder as an example, patients with recurrent episodes of mania or depression may experience periods when they are stable, and those can last for years. As a society, we have yet to find a way to support such individuals sensitively, but there is no doubt that the welfare

reforms are making many of those people much worse, and that is unacceptable.

The position is similar for those who suffer from panic disorder, chronic anxiety and depression, many of whom will seek to minimise their conditions when presenting to what is a tick-box exercise that really has to be significantly reformed. Those with the milder forms of autism spectrum disorder and milder learning disabilities are being completely failed by the current system.

The personal independence payment, which replaces disability living allowance, appears at first sight to be a reasonable approach to supporting those with disabilities. It is certainly true that the massive expansion in those receiving disability living allowance, which Nanette Milne referred to, was far greater than could be accounted for by either the substantial improvements in both morbidity and survival or the improved prospects of independent living of those with such disabilities. The numbers have increased significantly, and that really does need to be tackled. The increase may also have resulted in part from the highly effective shift from institutional care for many of those with learning disabilities or severe mental illness, but it is greater than any of those factors can account for.

A reassessment of disability and a realignment of benefits to match the level of disability seems a reasonable action, but the way in which it has been carried out has been, on the one hand, almost draconian and, on the other, shambolic in its maladministration. The figures that we receive from Citizens Advice Scotland on sanctions demonstrate clearly that maladministration is rife. PIP claim cases have frequently been delayed for six months or more, with some being delayed for more than 13 months, and the average of 107 days is considerably in excess of what the DWP sold to us in the original PIP proposals.

The process is also damaging due to significant delays in arranging medical assessments, which has resulted in unnecessary hardship and, more important, in a deterioration in the health and wellbeing of many applicants who have been subjected to this stressful process.

I learned in the past week that the DWP has wound down many of its appeal tribunals. Why? Does anyone on the coalition party benches have any idea why that has happened?

There is much more that I could say, but I realise that my time is relatively limited. Labour has made five pledges, which I will not repeat. Jackie Baillie was absolutely right to talk about some of the challenges that we face. The greatest is the inequity in the treatment of those who need social care and healthcare, which is something that we as a Parliament are going to have to tackle

at some point. It is not even mentioned in the motion.

Jackie Baillie was also right to emphasise respect, reform for better equity and not savings per se, the vital role of aids and adaptations and concessionary travel, all of which are within our power.

This Parliament has a lot of power, but this Government prefers to give not to the poorest but to the people who are slightly better off—and it gives more to the better off. *[Interruption.]* I say to the minister it is no use shaking your head; that is exactly what you have been doing with your populist giveaways. You should stop that and start defending the people who you so loudly tried to defend today.

The Deputy Presiding Officer: I remind members to speak through the chair.

We are now a bit limited for time, so members need to stick to their six minutes.

16:15

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I will do my best, Presiding Officer.

Like Annabelle Ewing, I am a member of the Welfare Reform Committee. I remind members of the committee's your say process, through which members of the public can contact the committee directly to tell us about their experience of the social security system and, in particular, welfare reform. I commend the process to members, who could direct constituents who contact them about such matters to it. We are currently engaging members of the public on PIP, which I will talk about later if I have time.

I want to draw members' attention to the evidence of people who attended committee meetings after providing evidence through the your say process. We heard from people with a variety of conditions, and the evidence that I will quote relates not directly to PIP but to other aspects of the social security system. It speaks clearly of a system that has let disabled people down.

On 18 September 2012, the committee heard from Henry Sherlock. He is a 50-year-old man who became blind at the age of 31. He worked in a Government job for a number of years, with support, before he had to give up his employment. He told the committee that at the work capability assessment he was asked whether he could pick up a cardboard box. He told us:

"I said that physically, yes, I could pick up an empty cardboard box but that I would not know where the cardboard box was. I would have to have someone show me where the box was. Then, when I picked up the box, if I needed two hands I would become immobile—my mobility

would be gone because I would not be able to use a cane or a dog to get around. I gave a full explanation of why that would be difficult, but I asked for the medical report to be sent to me and that was missing completely from the report. All that it said was that I was physically capable of lifting a cardboard box—there was nothing about my disability or anything associated with it."—*[Official Report, Welfare Reform Committee, 18 September 2012; c 253.]*

Another witness, Marlene Hepburn—no relation—spoke to the committee on 5 February 2013. She had retired from her job as a senior teacher five years earlier on the ground of ill health. She said:

"I have a copy of my assessor's report that, in my mind, places huge emphasis on how well I looked and how well turned out I was."—*[Official Report, Welfare Reform Committee, 5 February 2013; c 214.]*

It was as if it were a crime for her to have been well presented when she arrived at the meeting.

The committee has received much more such evidence. It is little wonder that Inclusion Scotland said in its briefing to MSPs:

"The current programme of welfare reform is having a devastating and disproportionate impact on disabled people in Scotland."

I gently draw that comment to Mr Hume's attention, because in his selective use of that briefing he suggested that Inclusion Scotland supports PIP. He might want to remember what Inclusion Scotland said about welfare reform.

Indeed, Inclusion Scotland went on to say:

"It is clear that the prime motivation behind the replacement of Disability Living Allowance (DLA) by the Personal Independence Payment (PIP) has not been empowering disabled people to have the same freedom, choice, dignity and control as other citizens to participate in society and live an ordinary life. Rather it has been about cutting the welfare budget."

The Scottish Government has published analysis that suggests that as many as 66,000 disabled people of working age in Scotland will lose a minimum of £1,120 per year as a result of the introduction of PIP. That will have a severe impact on people at the sharp end and their ability to lead fulfilling and active lives.

The processing of PIP claims is a boorach, too. Citizens Advice Scotland tells us that it has clients who have waited up to 15 months for a decision on their claim. While they await a decision, CAS clients are going to food banks, and people with terminal illnesses are running up council tax and rent arrears.

The Welfare Reform Committee has received extensive evidence that welfare reform is leading to the increased use of food banks in Scotland. However, the Department for Work and Pensions representative who appeared before the committee and David Mundell—who appeared for the UK Government because no DWP minister

would do so—refused to recognise that and merely said that more research into the increased demand for food banks was required. I understand that the UK Government has no plans to commission such research.

That does not speak of a system that is delivering for people, and I believe that PIP should be withdrawn. I hope that Parliament can agree on that point tonight. Members have rehearsed the point, so I will not go into it in detail, but it is unclear that there is much prospect that Westminster will withdraw the PIP; therefore, this Parliament should be empowered to do so.

Both the Welfare Reform Committee and the Finance Committee, of which I am also a member, are looking at the devolution of further powers in the light of the Smith commission process. Although different mechanisms have been proposed, there seems to be broad support among those who have spoken to us thus far for the devolution of responsibility for welfare. That reflects the wide support that exists across Scotland and the fact that 65 organisations representing civic Scotland have made submissions to the Smith commission suggesting that certain aspects—if not all—of the welfare powers should come to this Parliament. That support exists among a broad range of diverse organisations and we would do well to heed that popular opinion.

Scotland wants the Parliament to be able to forge a different direction on social security, and people with disabilities in Scotland need a different direction on social security.

16:21

Anne McTaggart (Glasgow) (Lab): The ongoing matter of welfare benefits for people living with disabilities is of great concern to all of us here and to many of my constituents. As a society, we are responsible for looking out for those who are in need, including people with disabilities. Surely we all subscribe to that view regardless of our political colour. In the past few years, though, little has been done to protect that group of people. Instead, their wellbeing has been threatened in the name of budget cuts and new policies.

An area in which the Westminster coalition Government has threatened disabled people has been the introduction of the employment support allowance system, known as ESA. The purpose of ESA is to grant state funding to disabled people who cannot work so that they can make ends meet. Under the ESA system, applicants are subject to a much harsher test than in the past, and it is impossible for an applicant to receive state funding until they have been approved for such funding. That leads to large gaps in

coverage, the consequences of which are not simply talking points. In February, more than 47,000 disabled Scottish people were left waiting for an ESA decision without any coverage—that was potentially 47,000 people with family responsibilities.

Equally problematic is the possibility of cuts to ESA. On the basis of Westminster Government documents that have been seen by the BBC, ministers have considered cutting ESA from £101.15 to £72.90. Given that the base level for claimants who are able to work is £72.40, the cut is understood to mean that a disabled person who does not work needs 50p more than someone who does work. The effect of the proposed cut is fairly obvious: for people who are unable to work and earn an income, the Government at Westminster is threatening to cut their only source of money. We must send an extremely clear message to the Westminster coalition Government that that is unacceptable and that ESA is not reform. The Government is trying to save money in a way that disproportionately affects people who are disabled and unable to work.

The Scottish Government has yet to offer a comprehensive solution to fix the issue. The most frequent suggestion for mending the broken welfare system is simply to have the powers devolved to the Scottish Parliament. However, that solution is simplistic and unworkable, as it would put an already strained system on shaky, untested ground and create greater uncertainty and anxiety.

Annabelle Ewing: Does the member not accept the position of the 65 third sector organisations that have been calling for the Scottish Parliament to have control over welfare powers?

Anne McTaggart: I will answer that further on in my speech.

We should support the existence of the UK-wide welfare state in which a social union exists and where we work together to protect the basic entitlements enjoyed by all British people.

Professor Iain McLean, professor of politics at the University of Oxford, in his submission to our Finance Committee, said:

“It is for this Parliament to decide whether it wishes to take over responsibility for the whole of social protection expenditure or only part. If it takes on the whole, the relatively unfavourable demographics of the Scottish population means that it will face a sharper fiscal squeeze than will the rest of the UK.”

The Labour Party has released five pledges for disabled people in which I greatly believe. Two of the pledges relate directly to reforming the ESA. The first is to transform the work capability assessment. That test is far too harsh and results in too many people who do not have the ability to work being told that they must. Instead, the

system should be able to support those who require help and not to push them out to work through a medical test.

The second pledge is to make rights a reality for disabled people in Scotland. That includes ensuring that enough funding exists for disabled people as is needed. That does not include cutting funding from the ESA in order to save money towards the deficit; instead, we must assure funding for those who most need it and, if there truly is a need for reducing the deficit, not to do that on the backs of the disabled. One manner of meeting the need to protect the right to proper funding for disabled people and reduce the deficit would be to reverse the tax cut for those earning more than £150,000.

We all want a fair and equitable country that protects those who are in the most need. When looking at the state of funding for disabled people who cannot work, it is easy to see that something is wrong and the solution is not coming from the UK Government. The system must be changed. However, let us face it: simply waving the wand of devolution is not going to work. We must maintain the welfare state, centralised in Westminster. We also need to remember that the welfare state is there to serve those who need it. When that is not being accomplished, it is time to reassess, so let us reassess the welfare state.

16:27

Nigel Don (Angus North and Mearns) (SNP):

This has been a long but very interesting afternoon. I start by picking up on the issue that Jim Hume brought before us. A little bit of selective quoting from the brief that members received from the disabled people's organisation Inclusion Scotland is best dealt with by extensive quoting from that brief.

Paragraph 2.1 says:

"It is clear that the prime motivation behind the replacement of Disability Living Allowance (DLA) by the Personal Independence Payment (PIP) has not been empowering disabled people to have the same freedom, choice, dignity and control as other citizens to participate in society and live an ordinary life. Rather it has been about cutting the welfare budget."

Paragraph 3.5 says:

"According to the National Audit Office sick and disabled people trying to claim the new Personal Independence Payment (PIP), which is replacing Disability Living Allowance (DLA), are facing 'distress and financial difficulties' because of mismanagement by civil servants and the outsourcing firms Atos and Capita."

Challenging a DWP decision is by way of mandatory reconsideration. Paragraph 5.2 says:

"Whilst in theory Mandatory Reconsiderations should speed up the process of correcting an error made by a decision maker, the reality is that they have introduced

another element of delay into the process. Mandatory Reconsiderations have no time limit which can leave the claimant without benefit for a considerable period of time."

It is stated in paragraph 6.1 that

"Inclusion Scotland are extremely concerned that the interaction between the Work Capability Assessment regime and conditionality sanctions is disproportionately impacting on disabled people—particularly those with mental health issues, learning difficulties and cognitive impairments such as autism."

According to paragraph 6.3,

"In Scotland, 118,597 sanctions have been applied, over 20,000 of those between January-March this year. This suggests that nearly 30,000 JSA sanctions have been applied against disabled people in Scotland."

Paragraph 6.5 says:

"Although the UK Government claims that sanctions are a 'last resort', it is evident that they are being imposed almost as a matter of course, with no opportunity for the claimant to give reasonable cause for the failure that lead to the sanction."

To prove that, it is stated in paragraph 6.7 that

"Two thirds of ESA claimants who requested a mandatory reconsideration of a sanction imposed for failing to attend a mandatory interview and over half of those who had a sanction imposed for failure to participate in Work Related Activity had the sanction overturned. This suggests that sanctions are being imposed as a first resort, without adequate account being taken of the circumstances in each case."

That begs the question, whose money is the UK Government distributing? It looks as if the UK Government thinks that it is its money to hold on to and, somehow or other, the claimant gets it as a last resort. I would have thought that people should be entitled to their entitlements and should be helped to get them.

That brings me to the debate that we had only last week about supported employment and the equalities issues that it raises. I repeat what I said then. It is clearly demonstrable and well written up that it is in everyone's interests for us to have a society in which there is greater financial equality. That is simply no longer contestable. Filter-down or drip-down economics does not work.

However, there are three things that we can do. We can raise more tax; I notice that Ken Macintosh has just returned to the chamber. Curiously, there is a debate to be had about that, because it is not evident from the international research on the subject that taxing those who earn more is necessarily the best way to proceed. The issue is one of redistribution. As colleagues have mentioned, the two important aspects of that are that we get those who are able to work into employment—the debate about the minimum wage and the living wage is about ensuring that we pay people enough to live on—and that we

protect those who are unable to work, which is what this afternoon's debate is about.

I am looking forward to listening to Alex Johnstone, who is about to sum up for the Tories. He will have to defend an amendment that says:

"while this transition may be difficult"—

that is a reference to the transition that we have all been discussing—

"it has the real potential to deliver positive change and improve lives."

Ken Macintosh got it absolutely right when he said that the changes are not working. Mark McDonald said exactly the same. Whose money is it? It belongs to the people, who should only need to ask for it, rather than having to jump through hoops to claim it. My query to Alex Johnstone—the challenge that I put to him—is this: how on earth are such delays remotely acceptable? When is the UK Government going to start looking after its most vulnerable citizens?

The Deputy Presiding Officer: We come to the closing speeches.

16:33

Alex Johnstone (North East Scotland) (Con): I begin by addressing the very issue that Nigel Don raised at the end of his speech. The answer is that such delays are not acceptable. That is why the issue appears right in the heart of the amendment that I drafted.

I had hoped that, after the referendum, the Parliament might be ready to begin to deal with the issues that we have discussed today in a more conciliatory manner, but from the majority of speeches that I have listened to, I doubt very much whether we are ready for that yet. Jackie Baillie possibly came closest to adopting a more conciliatory manner in her amendment, yet she chose to open her speech by delivering an unjustified attack on Lord Freud. By his own admission, he mistakenly accepted the premise of a question that was asked at the Conservative Party conference. His words offended many people, but he also apologised unreservedly and as quickly as he could for the offence that he had caused. He is a passionate advocate of getting disabled people into work and has made a particular effort to address the offence that he caused.

Worse still, it must be said that the Parliament often seeks to score political points to the disadvantage of those who might benefit. The repeated complaints that ministers from the DWP will not come before the Welfare Reform Committee are of equal concern to me. However, David Mundell, the Parliamentary Under-Secretary of State for Scotland—the one minister who has

taken seriously our attempts to communicate at governmental level—finds himself the butt of an unjustified attack by the convener and deputy convener of the committee. His efforts, of course, have not been rewarded.

Michael McMahon: The circumstances really must be clarified. We welcomed the minister's attendance at our committee and in public. His colleagues have failed to attend. However, it is on the record that he made a clear commitment to meet us and people who had been affected by sanctions and other aspects of welfare reform. Our committee clerks have contacted his office on 10 occasions and his commitment has not been fulfilled. That is the basis on which we have attacked David Mundell. I regret that that was required, but Alex Johnstone should be clear exactly what the correspondence relates to.

Alex Johnstone: The opportunity exists to have a more constructive relationship with the parliamentary under-secretary of state and what has happened in the past week has done nothing to serve that.

I will address the issues that Margaret Burgess brought up in her opening speech. She said what many in her party have said, which is that, after they convincingly lost the referendum, their submission to the Smith commission takes the form of passing the white paper over and telling Lord Smith that what they want instead of independence is just independence by another name.

The truth is that, if we are to have the opportunity to implement a welfare system that fulfils its needs and serves the people, Scotland must address the issues of cyclical events, shocks on its economic system and our ever-ageing population. We must realise that, if we were to raise the tax for and spend our entire welfare budget in Scotland, our welfare system and the principles that lie behind it would be put under threat.

Mike MacKenzie: Will Alex Johnstone take an intervention?

Alex Johnstone: No. I have to make some progress.

I move on to PIP, which is at the centre of the discussion. The change that is taking place from DLA to PIP will always be difficult to achieve, but it is worthy of pursuit. Let me sort out a few of the myths around that change.

The projected 20 per cent cut in budget for PIP is not designed to be a complete removal of support. It is most likely to be achieved by a reduction in the number of people who will qualify for PIP, but people will not lose their qualification for support altogether. They will continue to be

eligible to be supported through back-to-work benefits and those individuals will benefit most from that change and getting back into work.

Of those who remain, some will lose out and some will gain. That is because PIP is designed to put the resources in the hands of those who need them most.

Annabelle Ewing: Will Alex Johnstone take an intervention on that point?

The Deputy Presiding Officer: The member is coming to a close.

Alex Johnstone: I have to complete within my time.

As Jim Hume pointed out, welfare budgets in Scotland at the moment and for future years are rising and not falling, so it must be realised that only entitlement is changing. Therefore it is wholly inaccurate to say that the most vulnerable will see their support cut, because under this system the most vulnerable will see their support rise.

The difficulties that are associated with the Scottish welfare fund and care charges that are administered by the Scottish Government make it quite clear that it is not only the Westminster Government that is guilty of problems when it comes to welfare.

The Deputy Presiding Officer: You need to conclude, please.

Alex Johnstone: The truth is that what we have heard from too many speakers is not so much a concern over welfare as an attempt to step back to the politics of grievance that we have seen over the past three years. For that reason, I support the amendment in my name.

16:40

Michael McMahon (Uddingston and Bellshill) (Lab): I thank the minister for bringing the debate to the Parliament. Her motion gives us an opportunity to consider the impact of the UK Government's welfare policies on disabled people.

As the convener of the Welfare Reform Committee and the convener of the cross-party group on disability, I am sadly all too familiar with the concerns of disabled people about the detrimental effects of the Welfare Reform Act 2012. I emphasise that the current situation corresponds with the introduction of that draconian act of Parliament in 2012 by the present Tory-led Administration, barely two years ago. However, we should also take the opportunity that is provided by the debate to look at what the situation has been like in Scotland for disabled people under this Scottish Government since 2007 and to consider what could be done in future to improve that situation.

I have found myself sharing similar views to many speakers this afternoon, especially in respect of the argument that there should be further welfare devolution. However, although the motion focuses on disability benefits, I believe that we must consider all aspects of the support that is required by disabled people and the role of the Scottish Government in providing for disabled people now and in the future.

Annabelle Ewing referred to the discussions that we had yesterday at the Welfare Reform Committee. I remind her that Professor David Bell provided a paper that made the very important point that we should not make decisions on the future powers and purposes of devolving welfare on the basis of opposition to one specific policy that currently exists.

Annabelle Ewing: Will the member accept that other participants on the panel yesterday, in their submissions and in their oral statements to the committee, had slightly different points of view? I think that it is fair to give an impression in the round of what happened at the meeting.

Michael McMahon: I was going to do that.

There is no doubt that the bedroom tax has been a disaster. Not only has it failed to achieve the UK Government's intended aims for it, it has brought monumental distress and hardship to swathes of people across the country, especially disabled people.

However, when considering what powers we should devolve to Scotland, we should do so on the basis that we have taken into account all the risks and the resource implications of the changes that we are making. That is the point that Annabelle Ewing seems to miss—a lot of the academics and the experts have gone into great detail when looking at all aspects of welfare in the round and have looked at the risks and the resource implications. We cannot do these things in isolation—it is difficult to unpick welfare from everything else.

We have heard the nationalists argue the usual position that all welfare power and all taxes should be devolved to Scotland. However, despite the strenuous efforts of my colleagues on the Labour benches, the minister has failed to tell us by how much they would raise taxes in order to pay for the better benefits and services that they want to control.

When the cabinet secretary intervened in Richard Simpson's speech, she did not give us one progressive policy; she gave us a list of things that the Government spends money on. Perhaps that is part of the problem—the fact that the nationalists cannot tell the difference between expenditure and a progressive policy that redistributes wealth from one section of society to

another probably tells us why they do not have a progressive policy.

Margaret Burgess is correct in stating that the UK Government's welfare policies are extremely disruptive. The replacement of DLA with PIP is a good case in point.

Jamie Hepburn: Just to clarify, is the member seriously arguing that the establishment of the Scottish welfare fund, which supports many vulnerable people across Scotland, is not a redistributive policy?

Michael McMahon: It is clearly not a redistributive policy. The fund is a devolved resource that was given to the Scottish Government, which is distributing it to people who depend on that service. That is not the same as a taxation and redistribution policy.

Margaret Burgess is correct in stating that the UK Government's welfare policies are extremely disruptive. The replacement of disability living allowance with the personal independence payment is a good case in point—*[Interruption.]*

The Deputy Presiding Officer: Order, please.

Michael McMahon: As ever, though, rather than the Government telling us how it would make improvements and support independent living for disabled people, we get cheap jibes aimed at Labour and simplistic calls for a moratorium to do nothing other than take the problems of PIP forward.

We were reminded at yesterday's Welfare Reform Committee meeting of the Joseph Rowntree Foundation's report of 2013, which concluded that the Scottish Government had failed to utilise all its existing powers and the budgets at its disposal in addressing poverty. That was an argument about the failures of this Government.

The simple fact is that, notwithstanding the impact of Tory reforms, the Scottish Government must take its share of responsibility for inflicting inequities on our welfare system through its failure to address what we now know is being referred to as the care tax. The underfunding of local councils through the council tax freeze and the direct cuts to their budgets has resulted in a huge increase in care charges for disabled people. That argument was put to us at the Public Petitions Committee—*[Interruption.]*

The Deputy Presiding Officer: Order, please.

Michael McMahon: The subject was raised at the Public Petitions Committee yesterday, and we heard about how charges for services for which the Scottish Government is responsible restrict choices, control, freedom and dignity. I have heard those claims made against the Welfare Reform Act 2012, but we should be in no doubt that the

Scottish Government's policies also lead to those difficulties.

I totally agree with Christina McKelvie's call for action on care costs for those under 65 who have terminal illnesses. It has been heartening to hear the cross-party support for the Gordon's fightback campaign. It would be good to hear a commitment from the cabinet secretary in her summing-up speech to support Gordon Aikman's calls for the outlawing of care charges; for the provision of motor neurone disease nurses from the public purse; and for the doubling of the number of such nurses in the NHS. Those are all within the gift of the Scottish Government. It could also resolve Gordon's final request for research funding to be doubled.

However, I definitely part company with Christina McKelvie on the care tax and on her call for legislation to force councils to address the issue. I am sure that our councils could address the problem of care charges if the Scottish Government would rectify the spending restrictions that it places on them.

We have heard a great deal this afternoon about hypocrisy, and Labour has been attacked for failing to agree with the SNP's call for a halt to the roll-out of PIP. I remind the SNP that it is Salus, the publicly funded NHS body, that carries the contract for delivering PIP in Scotland—a contract that was approved by the Deputy First Minister before it was signed by NHS Lanarkshire. Yet again, rather than looking to what they can do themselves with the power that they have, SNP members call on others to act when they could intervene directly themselves to stop the roll-out of PIP by insisting that Salus stops playing its part in delivering PIP.

16:48

The Cabinet Secretary for Commonwealth Games, Sport, Equalities and Pensioners' Rights (Shona Robison): I have listened with great interest to all the contributions from members, and I will deal with as many as I can, beginning on a consensual note.

I agreed with much of what Jackie Baillie had to say about Lord Freud's comments. She forgot to mention the fact that Labour appointed Lord Freud, but we will leave that to one side. What Lord Freud said revealed a disdain for, a complete misunderstanding of and a detachment from the ordinary day-to-day lives of people with a disability. I agree with much of Jackie Baillie's analysis of his comments and with her comments about the UK Government's direction of travel.

However, that begs the question: if Labour was serious about creating a fairer system, why did Labour MPs vote along with the Tories for George

Osborne's welfare spending cap, which includes DLA, PIP and attendance allowance? Labour MP Diane Abbott, with whom I agree quite often and who opposed the cap, said:

"The Chancellor does not say many things that I think are correct, but he is correct to say that voting for this cap locks us into the coalition's cuts." —[*Official Report, House of Commons*, 26 March 2014; Vol 578, c 390.]

That says everything that needs to be said about Labour's position on welfare reform.

Jackie Baillie: Would the cabinet secretary care to comment on Alex Salmond's reported comments in the *Sunday Post* in which he supported a cap on benefits for individuals?

Shona Robison: Nonsense. In fact, the SNP MPs at Westminster were very clear when they voted against the cap. We will be known by our deeds, and Jackie Baillie's colleagues voted for the cap, which, as Diane Abbott said, locked Labour into the coalition's cuts.

Jackie Baillie mentioned the bedroom tax, which was actually a little surprising because, since we last debated the issue in the chamber, it has come to light that Jackie Baillie had to wait by the phone for quite some time before Ed Miliband let her know whether Labour could oppose the bedroom tax and support its abolition.

Jackie Baillie: The cabinet secretary surely cannot help but recall the year-long confrontation that I had with the SNP Government to get it to move on the bedroom tax. I was not waiting for phone calls or permission—the bedroom tax was wrong and we pushed the SNP to do something about it all year, but it did nothing. The Government made people suffer.

Shona Robison: No—the Government has done something. We have provided £50 million to mitigate the bedroom tax. Of course, it would be better to have the powers here to abolish the bedroom tax, but Jackie Baillie does not want this place to have control over that. Anyway, I hope that Jackie does not have to wait by the phone before she can announce Labour's position on other policies in future.

Jackie Baillie also mentioned the Scottish independent living fund, which is a very important fund. Of course, the new funding of £5.5 million is important, because it will not only help to keep the ILF open but make it available to new users. I would have thought that we could all agree that that is a good thing that we should support.

Christina McKelvie asked specifically about the position in relation to those with a terminal illness not being charged care charges and what would happen if there was a failure to agree that position with local government. I am optimistic and hopeful that an agreement will be reached with local

government. However, the Cabinet Secretary for Health and Wellbeing has made it clear that, if that is not the case, the Scottish ministers are prepared to introduce secondary legislation to regulate that aspect of care charges for people with terminal conditions, using the same definition of "terminal" as is used by the DWP for benefits purposes. As I said, however, I sincerely hope that it does not come to that.

Ken Macintosh made a very thoughtful speech. The example that he gave of his constituent Russell highlighted the absurdity of changes to a system in which someone has managed to hold down a job very well but the support mechanisms around them are slowly pulled away. That does not make any sense morally and it does not make sense financially, because the outcome is a danger that the person will lose their job, which will have financial consequences for the welfare system.

I agree with Ken Macintosh on that, but I find it difficult to agree with his conclusions. Given what he said and all the other cases that have been highlighted, whether on access to the work programme or other benefits issues, surely we should be able to agree that we could do better in this place. If we were to agree with that, surely we would agree that this place is the best place to decide on welfare policy.

However, that is not what Ken Macintosh said. He said that the no vote in the referendum meant that people were content for welfare to be reserved to Westminster. I will say in a moment why I do not think that that is correct but, if the Labour Party believes that, it demonstrates a lack of consistency in its approach to the issue, because, if that is the case, why would it bother to say that housing benefit and attendance allowance should be devolved?

Ken Macintosh: Will the member give way?

Shona Robison: In a minute.

Of course, that conclusion is clearly not the case, because, in every poll that has asked people where they think that the power over welfare should sit, time and again the overwhelming majority of the Scottish population has said that all welfare should be devolved to this place.

Ken Macintosh: What I actually said was that the no vote in the referendum was at least partly a confirmation of the fact that the Scottish people believe in the pooling and sharing of resources. That is a clear and convincing argument, and I think that it was endorsed by the referendum. If the minister does not agree with that, can she at least say what taxes she will put up in order to pay for the higher benefits that she is, in theory, proposing?

Shona Robison: It is quite interesting that a number of Labour members have talked about the sharing of risks and benefits across these islands, because, to me, it seems that it is disabled people who are taking all the risks and receiving very few of the benefits.

Kenneth Macintosh asked about how we could do things differently. The Scottish Government has made a comprehensive submission to the Smith commission to set out a system that is based on fairness, equality and early intervention, with an ability to bring together the tax and the benefit systems, along with the care system. Again, however, it remains to be seen what elements of those powers will be devolved to this place. The systems have to link together in a way that makes sense.

With regard to the funding of the proposals, we are already providing funding. Some £300 million has been spent in the past two years on mitigating welfare changes by the UK Government. Would it not be better if we had been able to spend that £300 million, and, indeed, the £104 million that we are going to spend next year, on designing a better welfare system in Scotland?

Alex Johnstone: Will the member give way?

Shona Robison: No, I have only a minute left.

Mark McDonald and others gave a number of examples of the difficulties that are faced by people who have non-visible disabilities such as autism or the mental health issues that Richard Simpson mentioned. The fact is that the benefits system never manages to take account of those conditions, which can sometimes be intermittent. The system cannot cope with people who are in that situation.

In his summing-up speech, Alex Johnstone seemed to create various categories for people: the vulnerable; the very vulnerable; and the most vulnerable. I think that people in the situations that we are talking about are all vulnerable, and it is those vulnerable people that his Government is attacking.

Around 190,000 working-age DLA claimants in Scotland will be reassessed for PIP, of whom 105,000 will lose some or all of their disability benefits by 2018, with a loss of at least £1,120 a year. Households with a disabled child face an annual loss of income of around £1,400, while households with disabled adults will lose £1,900 a year. Those are the vulnerable people who this Government wants to prevent Alex Johnstone's Government from harming any further.

The Presiding Officer (Tricia Marwick): You need to wind up, minister.

Shona Robison: That is why we need to bring the power over welfare to this place.

I am happy to support the Government's motion today.

Business Motion

16:59

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-11496, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 18 November 2014

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Statement by the First Minister

followed by Response to First Minister's Statement

followed by Scottish Government Debate: Lowering the Drink Drive Limit

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 19 November 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Health and Wellbeing

followed by Business Motions

followed by Parliamentary Bureau Motions

2.40 pm Decision Time

followed by Selection of the Parliament's Nominee for First Minister

Thursday 20 November 2014

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Debate: Food and Drink

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 25 November 2014

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 26 November 2014

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Culture and External Affairs;
Infrastructure, Investment and Cities

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 27 November 2014

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time—[Joe FitzPatrick.]

Motion agreed to.

Parliamentary Bureau Motion

17:00

The Presiding Officer (Tricia Marwick): The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S4M-11498, on approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) (No. 1) Order 2014 [draft] be approved.—[Joe FitzPatrick.]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are four questions to be put as a result of today's business.

The first question is, that amendment S4M-11494.3, in the name of Jackie Baillie, which seeks to amend motion S4M-11494, in the name of Margaret Burgess, on welfare benefits for people living with disabilities, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Yousaf, Humza (Glasgow) (SNP)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-

shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)

The Presiding Officer: The result of the division is: For 30, Against 80, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S4M-11494.2, in the name of Alex Johnstone, which seeks to amend motion S4M-11494, in the name of Margaret Burgess, on welfare benefits for people living with disabilities, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 17, Against 93, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S4M-11494, in the name of Margaret Burgess, on welfare benefits for people living with disabilities, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 64, Against 46, Abstentions 0.

Motion agreed to,

That the Parliament notes the damaging and destructive impact of the UK Government's welfare policies on disabled people across Scotland; recognises that around 105,000 working age disabled people will lose some or all of their disability benefits by 2018 as the result of the replacement of disability living allowance with personal independence payment (PIP), with a loss of at least £1,120 per year and, as a consequence of changes in eligibility to the mobility component, 47,000 disabled people are expected to lose up to £2,964 per year; notes that wider benefit reforms are having a disproportionate impact on disabled people, who already face higher costs of living, and calls on the UK Government to halt the roll out of PIP, which will severely disadvantage disabled people across Scotland.

The Presiding Officer: The next question is, that motion S4M-11498, in the name of Joe FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) (No. 1) Order 2014 [draft] be approved.

World Diabetes Day 2014

The Deputy Presiding Officer (John Scott):

The final item of business is a members' business debate on motion S4M-11158, in the name of David Stewart, on world diabetes day 2014. The debate will be concluded without any question being put. I invite members who wish to speak in the debate to press their request-to-speak button now.

Motion debated,

That the Parliament acknowledges that 14 November 2014 is World Diabetes Day, which is being led by the International Diabetes Federation and its member associations, including Diabetes UK, and is recognised as an official United Nations Day; understands that World Diabetes Day was established in 1991 by the International Diabetes Federation and the World Health Organization in response to concerns about the escalating health threat that diabetes poses; understands that there are almost 268,000 people who have been diagnosed with diabetes in Scotland and that access to good healthcare and treatment is key to helping them manage their condition; welcomes the launch of Diabetes UK's campaign that focuses on children and young people and its aim to increase awareness of the symptoms and warning signs for type 1 diabetes; believes that, in many cases, type 2 diabetes can be prevented through healthy eating and physical activity, and welcomes this year's parliamentary reception, which is scheduled for 18 November, to mark World Diabetes Day 2014.

17:05

David Stewart (Highlands and Islands) (Lab):

I thank each and every member here today for their commitment to the cause of diabetes prevention and for sharing the International Diabetes Federation's vision of living in a world without diabetes. I also welcome to the gallery a group of lead diabetes nurses who had a conference today, which I had the pleasure of speaking at.

I quote the International Diabetes Federation, which said that world diabetes day is a day that

"unites the global diabetes communities to produce a powerful voice for diabetes awareness and advocacy."

The IDF's theme for this year's world diabetes day is healthy living and diabetes.

The day was created in 1991 by the IDF and the World Health Organization in response to growing concerns about the escalating health threat that diabetes poses, and it became an official United Nations day in 2007. The campaign draws attention to issues of paramount importance to the diabetes world and keeps diabetes firmly in the public spotlight.

We are facing a global epidemic: 382 million people live with diabetes, and a further 316 million are at high risk of developing the disease. The IDF diabetes atlas confirms that 80 per cent of people

who have diabetes live in low and middle-income countries and that the socially disadvantaged are at the most risk.

By last year, diabetes caused more than 5 million deaths worldwide—every six seconds, a person dies from diabetes—and cost more than \$600 billion in healthcare spending. Without co-ordination and systematic action to prevent diabetes, in less than 25 years almost 600 million people will be living with diabetes.

However, during the past two years, progress has been driving political change for diabetes. Following the 2011 United Nations declaration on non-communicable diseases, the World Health Assembly in May last year saw the unanimous adoption by member states of a global action plan. There have been other international initiatives as well.

A few short months ago, I strolled in the Melbourne summer sun from my hotel to the Victoria State Parliament House. I was due to speak to an unusual audience of almost 100 national champions for diabetes from as far afield as Russia, Ukraine, Nigeria and Canada. South Africa sent its first lady. All were elected members, all were advocates for diabetes, and all represented their own countries. It was a privilege to be asked by the International Diabetes Federation to represent Scotland at the first ever global forum of parliamentary champions for diabetes. The next forum will be in Canada in 2015, and I hope that Scotland will be represented again by members such as Nanette Milne, who convenes, along with me, the cross-party group on diabetes.

The conference concluded with the signing of the Melbourne declaration, which committed Parliaments across the globe to ensuring that diabetes is high on their political agenda. The declaration called on nations to put a higher emphasis on preventative work, early diagnosis, management and access to adequate care, and to ensure that treatment and medicines are available for all those who live with diabetes. The declaration was the brainchild of the IDF, whose president is Sir Michael Hirst, former member of Parliament and ex-chair of Diabetes UK.

I was proud to talk to the conference delegates not only about Scotland but about issues of international significance for diabetes, and I am proud to come from a nation that has a strong track record in innovation and discovery. After all, Alexander Fleming discovered penicillin, and he was a Scot; James Watt created the steam engine, and he was a Scot; and Alexander Graham Bell invented the telephone, and he was a Scot, too. However, international collaboration is where real strides can be made. In 1922, Professor John Macleod from Aberdeen, working

with two other outstanding scientists, Dr Banting and Charles Best, discovered insulin, and in 1923 Macleod and Banting won the Nobel prize for medicine, which was shared with Best.

There have also been more recent political developments here in Scotland, and strong, positive steps have been made in the care of people with diabetes, including the provision of insulin pumps to under-18s. However, the number of people with the condition is rising, and that will have a serious effect on Scotland's immediate future. Beyond the grave social cost of the condition for individuals and families, there is the huge economic cost to the NHS in Scotland. That cost is estimated at £1 billion annually, and 80 per cent of that money goes on managing avoidable complications.

With the Melbourne declaration's focus on diabetes prevention, the Scottish Government must have a focus on the condition that properly reflects the size of the problem. For example, more people in Scotland are living with diabetes than are living with coronary heart disease, and two and a half times more people have diabetes than all those with cancer combined. Every year in Scotland, about 1,900 people have emergency admissions for diabetic ketoacidosis, a critical, life-threatening condition that requires immediate medical attention, and more than 40 per cent of those admissions are of people under the age of 25. People with diabetes account for almost a fifth of hospital in-patients at any given time, and a person with diabetes can face a reduced life expectancy of up to 14 years in Scotland. Diabetes is the leading cause of blindness in working-age people and is a main contributor to kidney failure, amputations and cardiovascular disease, including heart attack and stroke. People with diabetes should be receiving their 15 healthcare essentials checks from the national health service, and previous action plans have been instrumental in taking forward that critical goal.

As I said, the theme of world diabetes day is healthy living and diabetes. In that respect, I recently met Michael Matheson, who will respond to the debate, with Jane-Claire Judson of Diabetes Scotland to talk about changes in Government procurement. For example, the new ferry contract could ensure that menus on ferries make clear the calorie, fat and carbohydrate content of all food that is served, which would be good for those dealing with diabetes as well as for those managing their weight.

We in Scotland have a great chance not only to raise the bar in healthcare but to contribute to scientific and medical understanding across the globe. World diabetes day is an international opportunity for diabetes to be put centre stage,

with the focus on awareness, advocacy and best practice across the globe. We have to tackle this ticking time-bomb. I believe that all we need is, as Sir Walter Scott said,

"The will to do, the soul to dare".

17:13

Aileen McLeod (South Scotland) (SNP): I congratulate my colleague Dave Stewart on securing this debate; I also congratulate Diabetes UK on its very helpful briefings. I should also say that I am a new member of the cross-party group on diabetes, having just joined the other week, and I very much look forward to working with my colleagues on it.

I want to focus on an issue that Dave Stewart has highlighted in his motion, which is the experience of parents whose children are diagnosed with type 1 diabetes and the importance of promoting education in and awareness of the early-warning signs and symptoms of diabetes in children and young people. There is no question but that a child receiving a diagnosis of type 1 diabetes is a heartbreaking and life-changing experience for any parent. The amount of care that a child with type 1 diabetes needs can be very significant. Parents speak of having to test blood glucose levels multiple times an hour through the night after an adverse event, and maintaining good blood glucose levels can be a daily struggle, with parents fearing for their child's safety should those levels rise too high or drop too low. It can be a constant—and sometimes nerve-wracking—juggling act.

That said, we should note the support and assistance that are now very often available to parents. For example, the roll-out of insulin pumps is regarded by many parents—and by Diabetes UK—as a very positive step forward.

Pump therapy not only removes to a very large extent the need for multiple daily injections, but the flexible way in which the pump can be set to deliver insulin can benefit overall wellbeing. I do not wish to be too technical, but an insulin pump can be calibrated very precisely according to the amount of carbohydrate in a meal and the pre-meal blood glucose level, which allows for the very precise delivery of insulin and, ideally, improved control of blood glucose levels.

Some health boards—Dumfries and Galloway NHS Board, for example—use Diasend technology so that the insulin pump's data can be uploaded over the internet. That enables the diabetes team to examine it and recommend changes without the need for hospital appointments. The information will also be there for parents and their child to see, which empowers

them to take greater control over the management of the condition.

The increasing prevalence of type 1 diabetes presents us with a significant public health challenge, of course. There is as yet no cure, so sound management of the condition is a key tool that is available to help us tackle the serious complications that the condition can cause.

As the incidence of the condition is on the increase, it is all the more important that parents are aware of the warning signs. Sudden unexplained weight loss, extreme tiredness, raging thirst and frequent urination are the key warning signs that parents should be aware of.

I warmly welcome Diabetes UK's campaign to raise awareness of the warning signs of type 1 diabetes and to explain not only how children with diabetes will be treated, but the support and advice that that organisation can offer, through the provision of local support groups, on a wide range of issues, including care for a type 1 diabetic when they start school.

With the imminent publication of the diabetes improvement plan, the debate has been a particularly timely one on an important issue. I congratulate Dave Stewart once again on bringing the debate to the chamber, I look forward to reading the improvement plan, and I very much look forward to participating in the future work of the cross-party group on diabetes.

17:17

Hanzala Malik (Glasgow) (Lab): I thank David Stewart for securing this debate on diabetes.

It is important to recognise the importance of diabetes in Scotland and its impact on people's lives, and to promote the ways in which people with that medical condition can learn to continue their daily lives.

Figures from Diabetes UK show that nearly a quarter of a million people in Scotland have diabetes and the number who have been diagnosed with it has increased at an alarming rate over the past few years: according to Diabetes UK, the number of Scots who were diagnosed with diabetes increased by some 26 per cent between 2006 and 2011.

It has become essential that we recognise Scots with early undiagnosed diabetes, that we make those citizens aware of their medical condition, and that we provide the appropriate care to ensure that their daily lives are not complicated as a result of their condition.

In many ethnic minority communities, diabetes is not often acknowledged as a serious risk that could hinder one's daily life and affect one's

surrounding family. Many south Asian communities in Scotland have a higher risk of developing type 2 diabetes, and people in them are likely to be diagnosed at an earlier age than people in the indigenous community.

There are a number of voluntary organisations in my Glasgow constituency, such as the Glasgow south voluntary group that is associated with Diabetes UK and the cheeni kum—which means less sugar—at home project, which is administered by the Health and Social Care Alliance Scotland. Those organisations tend to people who have been newly diagnosed with diabetes and their families. Information and various supports are provided that enable people to continue their daily life in a manner that caters for their new medical condition.

Although there is some education on that health matter in my constituency, Scotland wide the educational courses on diabetes are scattered, at best. Providing education and support for a healthy lifestyle to people who have been diagnosed with diabetes is an essential component in ensuring that Scots who have diabetes have high standards of life and betterment.

As a diabetic, I am aware of the problems that diabetics suffer and the lack of treatment through Scottish Government and NHS policies—for example, the refusal to fit gastric bands to people who suffer from diabetes. My understanding is that doing that would reduce numbers in the diabetic community by nearly 80 per cent at a stroke. Excuse the pun.

It is important that we realise that we have a serious problem with diabetes and a growing dependency on the NHS because of it, because we know that diabetes results in kidney failure and many other ailments, including ailments that affect eyesight. I have had an operation for my eyesight because I am diabetic. Those are challenges that face us today.

We need to address the issues that we have in treating diabetes and in treating it seriously as an issue. We must recognise its implications for our communities and consider how we can take the message to them about diabetes. Minority communities in particular suffer greatly from diabetes, so it is important that we are more rigorous in taking that serious message to them. I know that attempts have been made to communicate the message about diabetes, particularly in the larger cities, but rural areas clearly suffer from lack of information about diabetes. I look forward to the minister's comments on how he intends to deal with that issue.

17:21

Nanette Milne (North East Scotland) (Con): I am pleased to be taking part in a debate to acknowledge this year's world diabetes day. I congratulate David Stewart on again securing parliamentary time to bring to our attention this international event, which since its inception in 1991 has been important in raising the profile of diabetes around the globe.

David Stewart has acknowledged Sir Michael Hirst's invaluable work in diabetes, but David himself has been a tireless campaigner for people with diabetes in Scotland throughout his parliamentary career, both in Westminster and as a member of this Parliament. He is also very active as co-convenor of the cross-party group on diabetes, in which we have worked together in recent years alongside Diabetes Scotland to raise awareness of the condition in an on-going effort to prevent its development where possible, and to mitigate its long-term and very serious complications.

With 382 million people worldwide currently living with diabetes, and that number predicted to rise to 592 million by 2035, the condition is reaching pandemic proportions. Beyond the people who have already been diagnosed, it is thought that a further 316 million people are at high risk of developing type 2 diabetes. In Scotland, more than 268,000 people have been diagnosed and will need help to manage the condition in order to avoid its complications.

However, what is really concerning is that many people with diabetes still go undetected and their condition is unrecognised until they begin to develop its serious and life-threatening complications. Globally, it is thought that up to 50 per cent of such people remain undiagnosed, which is a very serious challenge for all of us. It is estimated that in Scotland one in five people either has diabetes or is at high risk of developing it, which costs our NHS £1 billion each year, 80 per cent of which goes on dealing with potentially preventable complications.

We all know that types 1 and 2 diabetes are distinct entities. Type 1 generally starts when people are young, and is unavoidable, but type 2 is generally a condition of later life, the onset of which can often be prevented by leading a healthy lifestyle. It is very important to be able to recognise the symptoms of diabetes, whatever its type, because the earlier it is diagnosed and properly managed, the less likely are its complications to appear. Diabetes Scotland's campaign to raise awareness in children and young people by highlighting the symptoms and warning signs, and encouraging them to eat healthily and exercise regularly is to be commended and supported.

A regime of physical activity and healthy eating is important to all of us, of course. By leading that type of life we can help to avoid the pitfalls of obesity, one of the most serious being the development of type 2 diabetes. In modern western society there are very many people—the numbers are, sadly, increasing—who are significantly overweight, which undoubtedly leads to earlier onset of type 2 diabetes. Some people in their teens now have the condition, and the earlier the onset, the sooner people are likely to develop the complications of kidney, eye and cardiovascular disease. Those not only compromise their health and wellbeing, but might result in their premature death and, in the process, put a great deal of pressure on NHS resources.

Everyone living with diabetes should have equal access to appropriate health services, but that is not yet the case.

The message of the world diabetes day 2014 campaign is a simple one—that the healthy choice can actually be the easy choice. The campaign aims to inform children and young people about how to make the right choices about what they eat—one of the most valuable being to start the day with a healthy breakfast. By educating them now in a fun and engaging way on the importance of a healthy diet and regular physical activity, we will help to protect the health and wellbeing of young people and future generations, and we will achieve better health outcomes for people who currently suffer from diabetes and those who are at risk of developing it.

I commend the campaigning work of Diabetes Scotland, which we will celebrate in the Parliament next Tuesday at this year's parliamentary reception for world diabetes day, and I thank David Stewart once again for leading the debate.

17:25

Chic Brodie (South Scotland) (SNP): I, too, thank David Stewart for bringing the motion to the chamber for debate this evening, and I congratulate him and Nanette Milne on the work that they do in the cross-party group on diabetes.

As the motion states, Friday is world diabetes day, which is led by the International Diabetes Federation. It will be the 23rd world diabetes day.

Diabetes poses serious concerns to one's health. I have type 2 diabetes, although I do not suffer from it. I am one of the 238,750 people in Scotland who are in the same position, all rattling round Scotland to the tune of Metformin and other like tablets. I like to think that I complement or avoid that with my five a day, augmented by a daily bowl of porridge, cholesterol-lowering spread and 15 minutes of exercise every day. However, that does not hide the fact that I am diabetic. I

know that my slimline figure would deny it, but that is the harsh fact, and had I lived less healthily and been subject to the oppression of deprivation, I would have been in a terrible place. That is why I welcome the call, yet again, to focus on the issue.

Diabetes affects people in areas of deprivation disproportionately. The deprivation rates in areas of Scotland vary from 7.9 per cent to 26 per cent, and those in the most deprived areas have reduced life expectancy, higher smoking rates and, unfortunately, lower engagement with the health services. That has to change. I applaud the nurses who are with us in the public gallery today, because 12 per cent of the in-patient budget goes on treating diabetes.

I believe that the Scottish Government's action plan and the impending diabetes improvement plan will help strategically with the need to address the problem by promoting self-management of the condition through effective education, minimising the impact of potentially serious complications, increasing the availability of intensive insulin treatment for people with type 1 diabetes, as Aileen McLeod mentioned, and creating a stronger emphasis on screening and prevention of diabetes.

I again congratulate David Stewart and Nanette Milne on their unstinting efforts in pursuit of promoting the need for doctors to use the tools that are available to them to ensure that everyone with diabetes in Scotland receives timely data on matters affecting their condition. I confirm personally the regular demands to attend retinopathy tests, and I have on my desk a card that allows me to test my diabetes condition and cholesterol levels on the internet.

The early identification of diabetes is key and I welcome the work of the Scotland diabetes group and others to deliver that. There must be an emphasis on education, accessibility and services in the area. The best way to tackle the growing epidemic of diabetes is to tackle the issue in childhood, so I commend the live for it! joint venture between Diabetes Scotland and the Edinburgh international science festival. So far, the project has worked in 18 schools and reached 1,191 pupils. The programme is designed to tackle childhood obesity and ties into the health and wellbeing area of the curriculum for excellence. It is delivered in schools in areas of high deprivation, which is important.

The world diabetes day campaign underpins all that. The slogan "Diabetes: protect our future" will raise the profile of the 2014 campaign, which focuses on healthy living.

I hope and believe that, with all the emphasis on raising awareness and the support of people such as those we have with us in the public gallery, the

message will get through more and more strongly. I welcome this evening's debate.

17:30

Rhoda Grant (Highlands and Islands) (Lab): I congratulate David Stewart on securing the debate, which itself raises awareness of both types of diabetes.

Awareness is important, because early diagnosis is crucial in the treatment of diabetes. Late onset or type 2 diabetes is much more likely to be picked up, because it happens to adults who can communicate to their general practitioners the symptoms that they are experiencing. The GP can work on the information that the patient gives, as well as looking at the person's age, weight and lifestyle.

Type 1 diabetes is much more difficult to identify. As Aileen McLeod said, often it is a very young child who becomes unwell, who might not be able to communicate how they are feeling. It can be hard to diagnose the disease, and sometimes a crisis is reached before that happens, which is not ideal.

Innovations in the treatment of diabetes, such as insulin pumps for type 1 patients, have helped people to take better control of their condition, although they have not changed the person's condition or their dependence on insulin.

Whether a person has type 1 or type 2 diabetes, they tend to depend on some kind of drug therapy for the rest of their life. They must also be careful about what they eat and when, and things like going for a drink with friends have to be planned, because of the impact of alcohol on blood sugar levels and diabetes control.

It sometimes feels as though we have not come far in the treatment of diabetes, although new drugs might help people with the condition—we must wait to see how things pan out. We need a lot more research and development in relation to causes, treatment and medication, particularly for type 1 diabetes, the cause of which is difficult to identify.

Diabetes is dangerous, not just because blood sugar levels fluctuate to a degree that can be lethal if left unmanaged but because of its impact on overall health. Hanzala Malik talked about kidney failure and the impact on sight; diabetes can also lead to heart disease, circulation problems and difficulty in healing, which sometimes results in amputation. The outcomes can be extremely serious for diabetics.

New medications can help to alleviate the problems, but we need to do an awful lot more to develop treatment. We need to stress the importance of diet and exercise, to keep people fit

as they get older. It can be difficult to say to someone whose joints are beginning to creak a bit that they should take more exercise, but there are activities that are valuable and do not have the impact that other activities have.

We need to inform people about diet. We all have busy lives and we are probably all a wee bit dependent on fast food, microwave meals and the like. We need more information about nutrition and we need to know how to use that information. Young people are no longer taught in school about what is good for them and what makes for a balanced diet.

We need to review how we provide care and support. When the minister sums up, it would be good if he gave us an update on how best practice is being rolled out, how our managed clinical networks are working and how the excellent work of the diabetes audit and research in Tayside study is informing health boards and improving the care and treatment of people with diabetes.

We should also perhaps work with schools, especially when very young children with type 1 diabetes first go to school, and inform teachers how to manage their condition by, for instance, ensuring that they eat before they take part in physical education lessons and the like. A little information and input from teachers could make the lives of parents and children a lot better.

I welcome the debate, as it shines a spotlight on diabetes. It is important that that happens because, as other members have said, diabetes is on the increase and we need to look at prevention and cure.

17:35

The Minister for Public Health (Michael Matheson): Like other members, I congratulate Dave Stewart on securing time for the debate to mark world diabetes day. I recognise the expertise in the area that he brings to the chamber, being the co-chair, along with Nanette Milne, of the cross-party group on diabetes in the Scottish Parliament. He has also undertaken work at an international level with the parliamentarians for diabetes global network in Melbourne. I confess that the idea of a stroll in the Melbourne sunshine is very appealing at this time of the year.

The debate gives us an opportunity both to underline the serious challenge that diabetes presents in Scotland and to outline the work that we have done to improve the lives of those who live with diabetes.

As members have mentioned, the International Diabetes Federation has estimated that one in 10 of the world's population will be living with diabetes by 2035. As Nanette Milne highlighted,

the Scottish figures for 2013 saw the number of people with diabetes increase to more than 268,000, which is 5 per cent—one in 20—of our population. Those figures, along with the figures that Dave Stewart and others cited, are sobering, and they demonstrate the significant challenge that we face.

In Scotland, we are particularly well placed to answer that challenge. Earlier this year, we hosted our diabetes in Scotland conference, which saw more than 300 members of the Scottish and international diabetes community come together to discuss how we can improve services and make life better for people with diabetes and to share good practice. The conference also highlighted how fortunate we are in Scotland to have strong clinical leadership engaged in our diabetes teams and an active patient voice. I pay tribute to the lead clinicians who have chaired the Scottish diabetes group over the past decade—Professor John McKnight, Professor Donald Pearson and Professor Andrew Morris—and who made the event such a success. I note their work to ensure that the diabetes services in Scotland are second to none.

Our national diabetes programme has helped to co-ordinate safe, effective and person-centred diabetes care across Scotland for over a decade. Many members will be familiar with our diabetes action plan—indeed, some members have already referred to it. Over the past few years, the plan has been absolutely key to driving forward improvements in a number of important areas of diabetes care, including the delivery of state-of-the-art e-health solutions to monitor progress; improvements in foot care services; increased access to insulin pump therapy; and enhanced knowledge and skills among our staff.

It is important that we build on that work and strive to continually improve our diabetes services year on year. That is why, earlier today, I agreed to the publication of our new diabetes improvement plan, which will be published by the end of the month.

Our improvement plan aims to build on the existing work of the diabetes action plan by focusing on key priority areas, and it challenges the Scottish diabetes community to deliver continuous improvement in the quality of the care that is available to people with diabetes. A key part of that will be to build on the work that has been identified, particularly for those who are at higher risk in our ethnic minority communities, in order to see continued improvements.

Although I do not have sufficient time to go into great depth on all our diabetes programme's successes or to set out all the areas that our new improvement plan will cover, I will take the opportunity to set out some of our work to date.

A key measure of diabetes care is our Scottish diabetes survey, which is perhaps the most comprehensive national record of its kind in the world. A major success to highlight from the most recent survey is that the percentage of people with both type 1 and type 2 diabetes who have had their foot risk recorded has more than doubled between 2008 and 2013 to about 80 per cent. That will have a major impact in reducing foot ulcers and lower-limb loss. That is evidence that our world-leading foot risk triage system, which was developed by our diabetes foot action group, is working to ensure that people with diabetes who are at most risk of developing foot complications are receiving the care that they need and that a preventative approach is taken.

A second area to highlight are the very substantial improvements that we have made to insulin pump access, which several members mentioned. I am very pleased to note that we have made significant progress in this area. Making that progress across all health boards has not always been easy, as Dave Stewart and others will recognise. However, we have seen a significant increase in the number of insulin pumps being made available to adults and children.

We have met our overall aim of ensuring that 25 per cent of people under 18 have access to insulin pumps. To put that into context, we have gone from 8.4 per cent of our under-18s with diabetes having access to an insulin pump in 2011 to 27.5 per cent across the country being on an insulin pump. However, I reassure those in the chamber that we are not complacent; indeed, we want to ensure that, by March 2015, the target is met consistently across all health boards.

Improving services for people who have diabetes is not enough. We need to address the underlying risk factors that lead to the development of type 2 diabetes and identify diabetes among young people earlier if we are to safeguard the future health of Scotland.

Earlier this year, the World Health Assembly announced its global target to halt the rise in diabetes and obesity by 2025. That is an ambitious aim, but rightly so. It very much complements our focus on preventing type 2 diabetes and our progress in working on the marked factors that can influence the risk factors in someone developing type 2 diabetes.

We are working to encourage people to make lifestyle changes, such as—Rhoda Grant correctly highlighted these as key components—adopting a healthier diet, managing their weight and increasing their physical activity. We have committed £7.5 million in the current spending period to healthy eating projects to support people in making healthier eating choices. In addition, we have provided improvement funding to several

stakeholders over the past year, including Diabetes Scotland, to support projects that encourage healthier eating and lifestyle choices.

We are also committed to continuing our positive engagement with the food industry about our proposals to improve dietary health. Last month, I met Diabetes Scotland and Dave Stewart, along with the Food Standards Agency, to explore that matter further in relation to public procurement. We will continue that dialogue to see whether there are further measures that we can take.

It is essential not only to support people in making healthy living choices to avoid diabetes but to identify people with diabetes earlier. Type 1 diabetes tends to present more acutely than type 2 does, but a key part of the work that we will be doing is to ensure that we continue to make progress on earlier identification. Our paediatric and adolescent group is developing a range of materials for general practitioner surgeries and admitting departments that are designed to support healthcare professionals to recognise the symptoms of diabetes in young people much more quickly to ensure that an earlier diagnosis is made. We will look to roll out those materials over the coming months.

In addition, I have set in motion work that will involve our public health sector playing a much more proactive role in the prevention of conditions such as diabetes. Last week in Aviemore, I announced that there will be a review of public health services in Scotland, the initial findings from which will arrive with ministers in 2015, with a view to continuing to improve public health provision. The preventative agenda is at the centre of that.

It is clear that the NHS in Scotland has delivered real improvements in the care of people with diabetes in the past few years. Now more than ever, we need to ensure that we move forward by making a stronger collaborative effort that involves all stakeholders and agencies to create a health-promoting and diabetes-aware culture in Scotland. I assure members that our new improvement plan will look to build on that progress in the coming years.

Meeting closed at 17:46.

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