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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 18 December 2014

Session 4

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Scottish Parliament

Thursday 18 December 2014

[The Deputy Presiding Officer opened the meeting at 11:40]

General Question Time

The Deputy Presiding Officer (Elaine Smith): Good morning. The first item of business this morning is general question time. As ever, in order to bring in as many members as possible, I ask for short, succinct questions and answers to match.

Fuel Poverty Eradication Target

1. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government whether it is on track to meet its fuel poverty eradication target. (S4O-03841)

The Minister for Housing and Welfare (Margaret Burgess): The Government remains committed to eradicating fuel poverty. Unfortunately, we have the powers to influence only one of the levers to tackle fuel poverty—the energy efficiency of housing. As the most recent Scottish house condition survey results show, our investment to improve domestic energy efficiency has helped to mitigate the 7 per cent rise in fuel prices that we have seen in the past year.

We continue to focus on increasing the energy efficiency of homes in Scotland, and last week I urged the United Kingdom Government to use its powers to increase the level of the warm home discount and to fund that through central resources. Today, we are publishing a progress report on the Scottish Government's fuel poverty statement.

Murdo Fraser: We are going backwards in relation to the target, which will now need to be met within two years. What assessment has the Scottish Government made of the cost of meeting the target?

Margaret Burgess: As I said in my earlier answer, we are publishing a progress report today, which will be available for all members to see. We are currently spending unprecedented amounts of money—£94 million this year and £94 million next year—on making homes energy efficient, and we are leveraging in more than £260 million from the energy companies. We are doing everything that we can to employ energy efficiency measures in homes, but we cannot control fuel prices or the minimum income to improve people's standard of living.

National Health Service Recruitment (Consultants)

2. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government whether the recruitment of consultants in Scotland could be affected by any move to privatise NHS services in England. (S4O-03842)

The Cabinet Secretary for Health, Wellbeing and Sport (Shona Robison): NHS Scotland offers consultant staff the opportunity to work in a world-class healthcare system in modern and well-equipped hospitals and on competitive terms and conditions that offer a good work-life balance. We will continue to look at how we can attract the best talent to NHS Scotland, and we will monitor the situation to see whether the direction of travel in England is having any impact on our ability to recruit to vacant posts.

Joan McAlpine: The cabinet secretary may be aware that Dumfries and Galloway has one of the highest levels—if not the highest level—of consultant vacancies in Scotland. Although many factors feed into that, I was alarmed to be told recently, by health board contacts, that the increase in the amount of private work that consultants in England can undertake is affecting Dumfries and Galloway NHS Board's ability to recruit. Does the cabinet secretary agree that that illustrates clearly that changes to the NHS in England can have a detrimental effect on our independent NHS here in Scotland?

Shona Robison: The board has advised us that there may be a recent case whereby a consultant resigned due to the inability to undertake private work. However, the board has just started a new piece of work to measure and improve knowledge about its workforce. That work started approximately two months ago, and the board has undertaken to keep us up to date on progress.

We are undertaking a large amount of work on the key specialisms that have the highest vacancy levels and the least attractive posts. We recognise that we need to do more to ensure that those posts are made more attractive, particularly in remote and rural areas. I will write to the member with some of the detail of that work.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I suggest that the private practice element is a total distraction. The new cabinet secretary might like to look at the response that I received to a freedom of information request to boards, which indicates that, far from consultant contracts being offered on a split of 7.5 to 2.5 sessions, which is the national contract, 60 per cent of all new consultant contracts in Scotland have been offered on a 9:1 basis. That is unsustainable and untenable. Frankly, any consultant who accepts the job on that basis rather than the national

contract that they are offered in England—although their doing so is brilliant from our point of view—is making a big sacrifice.

Shona Robison: I hope that Richard Simpson is not trying to deter consultants from taking up posts in the Scottish health service, as that would be a very negative thing to do.

Dr Simpson: I have just said that it is brilliant.

Shona Robison: We are looking at how we can fill consultant vacancies across the whole NHS in Scotland.

One reason why we have consultant vacancies is the fact that we have more consultant posts to fill because of the massive expansion in the number of posts, including consultant posts, across the health service. The consultant establishment in Scotland has grown massively. There are record numbers of consultants, but it is harder to fill posts in some specialities, particularly emergency medicine.

We have responded to that situation in a number of ways. For example, a number of NHS boards have established local medical banks services, which have been very good indeed, and we also looking at ways of improving working lives and the work-life balance. We are also improving junior doctors' working hours—there have been recent announcements about limiting the number of days and nights that they can work.

I will be looking at how else we can ensure that we fill these vacancies, which have arisen from the background of there being more posts than ever before.

Food Banks (Trends in Use)

3. Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): To ask the Scottish Government what information it has about trends in the use of food banks in Scotland. (S4O-03843)

The Minister for Housing and Welfare (Margaret Burgess): There is no comprehensive national data collection on those who access emergency food in Scotland. However, on 24 November the Trussell Trust reported that a total of 51,647 people picked up a three-day supply of groceries from its Scottish food banks between April and September 2014. Of those, 15,424 were children. The total number had risen by 124 per cent since the previous year.

The trust highlighted welfare problems as the biggest contributor to those numbers, stating:

“benefit changes and benefit delays have had a real impact this year”.

Adam Ingram: I thank the minister for her answer, which is very disappointing. Will the welfare powers coming to the Parliament from the

Smith commission process allow us to turn back and eradicate the shameful growth of food poverty in this country, which has been created by United Kingdom austerity policies?

Margaret Burgess: I agree with Adam Ingram—[*Interruption.*]

The Presiding Officer (Tricia Marwick): Can we do something about the minister's microphone?

Margaret Burgess: As we have made clear repeatedly, we welcome the new powers that will come to this Parliament, which we will always use to act in the best interests of the people of Scotland.

Research shows that the UK Government's welfare reforms are a major cause of some of the big issues that our country faces, such as the worrying rise of people visiting food banks. Sadly, the Smith commission's proposals will not give us the powers to tackle those issues effectively and coherently.

NHS Lanarkshire (Out-of-hours Service)

4. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Government what its position is on NHS Lanarkshire's out-of-hours service. (S4O-03844)

The Cabinet Secretary for Health, Wellbeing and Sport (Shona Robison): All territorial national health service boards are responsible for the design, delivery and management of out-of-hours services for their population. NHS health boards are responsible for ensuring an accessible process of public consultation is employed for any proposed service changes that may affect users. NHS Lanarkshire has informed us of its plans for public consultation on changes to its out-of-hours services. It has also informed the Scottish health council, whose role is to ensure that its patient engagement responsibility is honoured.

Elaine Smith: Clearly NHS Lanarkshire's service is under pressure. Two options are being consulted on, as the minister mentioned. One is to have centres in both Hamilton and Airdrie and the other is to have only one centre, in Hamilton. Does the cabinet secretary agree that it would be unacceptable for my constituents to lose their local service in Airdrie and, if so, will she take steps to ensure that the board is clear that that is not an option?

Shona Robison: Elaine Smith will be aware that there has already been extensive consultation with stakeholders. During the three-month consultation, we expect NHS Lanarkshire to ensure that people in communities who could be affected have the information and support that they need to play a full part in the process. I am

sure that Elaine Smith and her constituents will do just that.

NHS Lanarkshire must demonstrate that it has held a wide-ranging consultation that has taken all reasonable steps to take account of any differences of view—which there are, as Elaine Smith as highlighted. Throughout the process, the Scottish health council will work closely with the board to make sure that it adheres to the proper engagement process. If the board wishes to proceed with the proposal to change services following the consultation, it should enclose the Scottish health council's assessment report when submitting its proposal to the Scottish ministers for their approval in due course.

I am sure that Elaine Smith will find her way of influencing that consultation. Of course, the proposal will come to me at some stage in the process should the board proceed, but I am happy to continue a dialogue with Elaine Smith if she would find that helpful.

Road Improvements (North Ayrshire)

5. Margaret McDougall (West Scotland (Lab)): To ask the Scottish Government what road improvements in North Ayrshire are planned over the next five years. (S4O-03845)

The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown): The Scottish Government is currently progressing schemes in North Ayrshire at Dalry and Beith. Those will be taken forward to construction subject to satisfactory completion of the statutory process. Some £7.3 million-worth of structural maintenance works is also included in the current three-year rolling maintenance programme. [*Interruption.*]

The Presiding Officer: I ask whoever has their phone on to switch it off.

Margaret McDougall: The cabinet secretary will know that North Ayrshire Council defines the A78 as a strategic route for heavy goods vehicles. Furthermore, it would be the key route for the transportation of radioactive waste to Hunterston if the Scottish Environment Protection Agency accepts EDF's application.

There have been numerous accidents on the road, which passes very close to the front of houses with, in some cases, no footpath between. What assurances can the cabinet secretary give that the Scottish Government is considering upgrading it to improve safety for residents, pedestrians and other road users, particularly if SEPA accepts EDF's application?

Keith Brown: We are concerned with safety on the A78. For that reason, a range of measures has been put in place to manage vehicle speeds at points such as Fairlie, where we have included

new vehicle-activated signs and improved road markings. We are also investigating whether a speed-reduction measure can be installed at Fairlie that will activate the traffic signals to red when vehicles approach them.

I take the point that Margaret McDougall makes about the wider issue of the transportation of radioactive waste. If she wants further information on that and wishes to have a meeting with the Minister for Transport and Islands on the issue, I am sure that that can be arranged. However, she should be reassured that we are taking measures on safety on the A78, not so much in relation to radioactive waste transportation, which might happen, but in relation to large heavy goods vehicles going through some of the areas that she has described.

Kenneth Gibson (Cunninghame North) (SNP): I look forward to the conclusion of the public local inquiry into the Dalry bypass in January next year. Will the cabinet secretary continue, along with his predecessor, to meet local community representatives in Cunninghame North, as he has done on a number of occasions in recent months, to discuss safety improvements to the A78, over which he had responsibility as transport minister?

Keith Brown: In this case, I think that I might be my own predecessor. However, I am more than happy to ensure that the Minister for Transport and Islands carries on that engagement, which is important to the local communities on that route. I will make sure that that is passed on to him.

The Presiding Officer: I am still trying to work that one out.

Cycling Initiatives

6. Cameron Buchanan (Lothian) (Con): To ask the Scottish Government whether it plans to introduce initiatives to encourage cycling beyond its present commitments. (S4O-03846)

The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown): Yes. We are committed to delivering the shared vision of 10 per cent of everyday journeys being made by bike by 2020, which is set out in the cycling action plan for Scotland. To do so, we will continue to invest in new and improved on-road and off-road cycle routes and behaviour change initiatives that encourage people to choose cycling for shorter journeys.

Cameron Buchanan: The Scottish Government will receive an additional £213 million in Barnett consequential as a result of the autumn statement. Will it spend any of that money on cycling infrastructure?

Keith Brown: Cameron Buchanan will be aware that the Deputy First Minister, subsequent to his budget announcement, has already announced an additional £10 million for active and sustainable travel, so additional resources for cycling are certainly being considered.

The Conservative Party should really subject the consequentials that Cameron Buchanan mentions to further scrutiny because they have nominated them for all sorts of different uses, including health, an upgrade to the A1 and upgrades to roads in the north-east of Scotland. The money cannot be spent more than once.

On the basic point of his question, Cameron Buchanan should be assured that the Deputy First Minister has already committed an additional £10 million of funding in 2015-16 to support sustainable and active travel.

A801 River Avon Gorge Crossing

7. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government what recent discussions it has had with Falkirk Council and West Lothian Council regarding the upgrading of the A801 River Avon gorge crossing. (S4O-03847)

The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown): Since Mr MacDonald and I met to discuss the matter in April, Transport Scotland officials have met both councils to discuss the A801 project on several occasions.

Angus MacDonald: As the cabinet secretary will know, the A801 forms a key strategic link between the M8 and M9 corridors and provides a strategic freight route between Grangemouth docks and various distribution centres in West Lothian. The business communities in both council areas are keen to see the project move forward with an agreement to proceed. On the basis of a 25:25:50 split in funding and in the spirit of Christmas, can the cabinet secretary give any indication of when funding might be available to ensure that this long-overdue project proceeds?

Keith Brown: In the spirit of Christmas, I can say that the Scottish Government has already approved Falkirk Council's tax increment financing business case, which envisages a £6.67 million contribution from the TIF towards the A801 Avon gorge upgrade. Further contributions are assumed from West Lothian Council and the Scottish Government.

The business case notes that, in due course, a review will be required to confirm that the upgrade is viable to commence. Any potential allocation of funding to the project by the Scottish Government will be determined by its fit with other ministerial priorities and, of course, the availability of resources in future spending reviews.

Local Government Services

8. Neil Findlay (Lothian) (Lab): To ask the Scottish Government what assessment it has made of how local government services impact on various social groups. (S4O-03848)

The Minister for Local Government and Community Empowerment (Marco Biagi): The Scottish Government is strongly committed to reducing inequality and poverty across Scotland. The national performance framework sets out in the purpose and the national outcomes a clear and unified vision of the kind of Scotland we want to see and how our actions will improve the quality of life for the people of Scotland. It uses a wide range of indicators that provide a broad measure of national and societal wellbeing, and it incorporates a range of economic, social and environmental indicators and targets. Local authorities and their partner bodies in community planning partnerships are expected to ensure that each of their local priorities aligns with one or more of the national outcomes.

Neil Findlay: Will the new minister acknowledge—unlike his predecessor—that his Government's local government budget cuts and shackling of our councils have impacted most on services for the young, the elderly, the disabled and the vulnerable? Is he proud of that?

Marco Biagi: The face of the local government minister may have changed, but the questions from Mr Findlay are still the same. [*Interruption.*]

The Presiding Officer: Order.

Marco Biagi: I will repeat what my predecessor said: the share of expenditure that goes to local government is higher now than it was in 2006-07, when Mr Findlay's party was in power. The council tax freeze has ensured that there has been a broad benefit to households across Scotland, which, proportionately, has helped the bottom 10 per cent by income twice as much as it has helped the top 10 per cent. It is up to local councils to set their own priorities, having fulfilled their statutory obligations, and we are happy to continue the dialogue on that process to ensure that councils deliver for the people in their areas.

Early Learning and Childcare (West Glasgow)

9. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government whether it considers that Glasgow City Council provision in the west of the city is meeting the Government's aim of providing expanded funded early learning and childcare. (S4O-03849)

The Minister for Children and Young People (Aileen Campbell): Like all local authorities, Glasgow City Council has a statutory duty to secure early learning and childcare for eligible

children whose parents wish it. When children become eligible, local authorities will do their best to meet the needs of each parent, and they can offer places through their own settings or through private and third sector providers. We would expect local authorities to do their best to meet the needs of parents.

The Children and Young People (Scotland) Act 2014 puts flexibility on a statutory footing for the first time. Local authorities are now required to consult groups of parents at least once every two years on patterns of early learning and childcare provision. That will increase parental choice and better meet the needs of families.

Bill Kidd: I thank the minister and her expected progeny for that response. [*Laughter.*]

I have been contacted by a number of concerned constituents who tell me that they continue to have problems with the flexibility of the system and its responsiveness to local circumstances. Is there a route for addressing the inefficient system in Glasgow, whereby some parents must pay for their child's nursery place in a partnership nursery up front and then claim the money back?

The Presiding Officer: Minister, I think that it is you we want the answer from.

Aileen Campbell: Yes. Thank you. I will not blame the answer on any baby brain.

Like all local authorities, Glasgow City Council is under a duty to consult parents on the patterns of provision that would best meet their needs. We recognise that the move away from what has been a default model of 2.5 hours a day towards a more flexible model will take time, and additional funding has been provided for that.

It is for private partner nurseries as independent businesses to make charging arrangements. The partnership contract between the council and partners asks that they are transparent and communicate with parents on how the funding will be applied, but the detail is left to the individual partner provider to decide what suits its business model.

I am happy to meet Bill Kidd to discuss specifics, although Fiona McLeod might have to take up the meeting with him.

First Minister's Question Time

12:00

Engagements

The Presiding Officer (Tricia Marwick): We now move to First Minister's question time. Question 1 is from Kezia Dugdale. [*Applause.*]

1. Kezia Dugdale (Lothian) (Lab): I take this opportunity to wish the Presiding Officer and all members a merry Christmas and a very happy and prosperous new year.

To ask the First Minister what engagements she has planned for the rest of the day. (S4F-02483)

The First Minister (Nicola Sturgeon): I congratulate Kezia Dugdale on her election as deputy leader of Scottish Labour. I warmly welcome her to her place and I, too, wish everybody a very merry Christmas.

On a more sombre note, at the end of a week in which we have witnessed horrific acts of terror around the world, I take the opportunity—I am sure on behalf of all of us—to send condolences to the people of Australia and, of course, the people of Pakistan. Our thoughts are very much with them at this time.

Later today, I will have meetings to take forward the Government's programme for Scotland.

Kezia Dugdale: I associate myself with the First Minister's remarks and think that all members would agree with them. Our condolences go to the people of Pakistan and all those here in Scotland who have family there and are feeling the pain at this time.

There is a crisis in the oil industry. The unions and the companies say so. The Wood Group, Shell, BP and Petrofac are all cutting wages. A thousand jobs have gone and thousands more are on the line. What is the Scottish Government going to do?

The First Minister: I thank Kezia Dugdale for raising an issue that is very important and is of great concern to the people who work in our oil and gas industry. I will answer the question briefly, in two parts.

First, in terms of the Scottish Government's responsibilities, we will continue to do what we are doing to support innovation—for example, through our £10 million funding for the Oil and Gas Innovation Centre. We will continue to support skills in the industry and have invested an additional £6.5 million in that.

We have, of course, published the energy skills investment plan, and we will look to refresh it and

ensure that it is fit for purpose. We will also continue to ring fence 500 modern apprenticeships for the energy sector in each year of the current session of Parliament.

The second part of my answer—I hope that we can achieve some unity in the chamber on this—is that we will support the industry in its calls to the United Kingdom Government for more action. I will highlight three things that it is calling for. It wants bolder action on reducing the supplementary charge, urgent action on the proposed new investment allowance, and support for exploration. That is what the industry wants, and I hope that we can all get behind it.

Kezia Dugdale: The First Minister will have Labour's support when she goes to the UK Government with her calls, but she must be reminded that she has at least six responsibilities to the oil and gas industry in Scotland. She mentioned skills and innovation, but she also has responsibility for onshore business taxes, support in finding new markets, supporting infrastructure and diversifying the industry. Therefore, the same old answers about looking to Westminster for solutions just do not stack up.

The industry is one of Scotland's key industries. Yesterday, Jake Molloy of the RMT said:

"We're on the brink of meltdown."

Robin Allan of Premier Oil said that the North Sea oil industry is "close to collapse". Of course the UK Government should respond quickly, but the Scottish Government has to work with unions and the industry to find ways to maintain employment levels right now. What assurances can the First Minister give oil workers and their families about their jobs? Some 300,000 jobs across Scotland and the UK are reliant on the industry. What security do they have this Christmas from the Government?

The First Minister: I hope that the words that we have been hearing from Kezia Dugdale and her colleagues in recent days about a new consensual approach can survive beyond her first First Minister's questions. [*Interruption.*]

The Presiding Officer: Order.

The First Minister: I have said at every FMQs that I am keen to work across party boundaries. Kezia Dugdale is correct that this is an important issue. She asked specifically about actions that we will take and I gave her some of the specifics. We will continue to support the industry in every way that we can. I will meet Malcolm Webb of Oil & Gas UK on 14 January. Some of what I called on the UK Government to do did not come simply from the Scottish Government or the Scottish National Party—I cited some things from a letter to me from Oil & Gas UK. I should say that, in that

same letter, Oil & Gas UK talks about its good relationship with ministers in the Scottish Government. That good relationship and the determination to support the industry will continue strongly in my time as First Minister.

In the interests of the consensus that I am genuinely keen to build, if there are specific proposals that any other party wants to bring forward, it should do so, but it should make them specific so that we can give them the serious consideration that we would want to give.

Kezia Dugdale: The First Minister mentioned Oil & Gas UK, which told her that production and prices were falling, yet she persisted with her predictions on oil prices. [*Interruption.*]

The Presiding Officer: Order.

Kezia Dugdale: This week, oil dropped to below \$60 a barrel. In today's papers, John Swinney says that it will be back up to \$110 a barrel by next year, while Professor Ronald MacDonald says that a fall to \$40 is "not ... unreasonable". Just imagine for a second that the world-leading economist Ronald MacDonald knows more about the issue than John Swinney does. That fall would be catastrophic for the North Sea oil industry.

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): Here we go. Same old, same old.

The Presiding Officer: Mr Swinney!

Kezia Dugdale: Let us look to the future. Has the Scottish Government done an assessment of the long-term impact of the falling oil price and, if so, will it be published?

The First Minister: We will continue to work with the industry and to do the work that is required to support it. [*Interruption.*]

The Presiding Officer: Order! Ms Marra!

The First Minister: Probably not a week goes by in which Fergus Ewing does not meet companies that are active in the North Sea oil and gas sector. Perhaps fairly early in Kezia Dugdale's tenure as deputy leader of Scottish Labour, she will also take time to meet those companies.

Kezia Dugdale: I have.

The First Minister: I am glad to hear it. In that case, we can try to build some consensus on the things that they want us to do.

On the comments about John Swinney and oil experts, I point out to Kezia Dugdale that the price of \$110 a barrel comes from the recently published "World Oil Outlook" by the Organization of the Petroleum Exporting Countries, which projects a nominal price of \$110 until the year

2020. That is where the prediction comes from. [Interruption.]

The Presiding Officer: Order.

The First Minister: I repeat the point that, in the weeks, months and perhaps years to come, we can, and I am pretty sure we will, have vigorous political debates across the chamber about this and other issues, but I thought that Kezia Dugdale started in the right tone today when she rightly put the focus on jobs and the future of an important industry. I want to work with that industry and with members across the chamber—if they are willing to support the industry. I invite others to be part of that effort.

Kezia Dugdale: This is the First Minister who is so in touch with the oil industry that she was in Shetland four months ago promising a second oil boom. Four days ago, her energy minister was in Aberdeen rightly pleading with oil companies not to pay off their workers this Christmas. Two weeks ago, I was in Aberdeen talking to the ASET International Oil & Gas Training Academy, which is desperate for support from the Government in order to invest in skills and ensure that if the oil price rises again we will still have the people to make the most of that.

Is it not the truth that the Scottish Government just did not see this crisis coming, because it believed its own wishful thinking about oil prices? Surely we cannot have a First Minister who is so unprepared and unsighted on such a key industry. Will she initiate an inquiry into why her Government was so wrong in the past, so that we can get this right in the future? [Interruption.]

The Presiding Officer: Order.

Kezia Dugdale: There are tens of thousands of jobs on the line. The First Minister needs to be able to tell the Scottish public why she got it so wrong in the past, so that she can get it right in the future, does she not?

The First Minister: I think that it was at least two years ago that we re-established the energy skills academy, so determined were we to support skills in the sector. In my—I think—first answer to Kezia Dugdale, I outlined the support that we are giving for skills development in the sector. The industry will get the support that it needs from the Scottish Government for skills development, as it will do for innovation.

Let me come back to what I think is the central issue. I will keep trying to find this note of consensus. The industry wants us to unite to call on the UK Government to accelerate action around the new investment allowance and it wants us to unite to call on the UK Government to increase support for exploration. I think that we should also call on the UK Government to take

more action around reducing the supplementary charge. A couple of weeks ago, Danny Alexander talked about reducing it from 32 per cent to 30 per cent, which is welcome. What he did not talk quite so much about was the fact that it was, in the first place, he who increased it from 20 per cent to 32 per cent.

Let us come together to call for the sensible action that the people in the industry want. Those whose jobs are under threat right now will want to see us coming together in that way, and not having a party-political ding-dong.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): I add the thoughts and prayers of me and my party for those who have been affected by the horrific events in Australia and Pakistan. I know that there are people in Scotland who have been affected, too. They are in all our thoughts.

I welcome Labour's new deputy leader and congratulate her on her election.

To ask the First Minister when she will next meet the Secretary of State for Scotland. (S4F-02481)

The First Minister (Nicola Sturgeon): No plans in the immediate future.

Ruth Davidson: When he unveiled his plans to reform stamp duty on house buying in October, John Swinney said that he did not intend to take more money from people than is currently collected. His exact words were:

"I have decided that the taxes raised should be revenue neutral, raising no more or less than the taxes that they replace."—[Official Report, 9 October 2014; c 39.]

Since then, stamp duty rates have been cut by £800 million across the United Kingdom and by £80 million in Scotland. People buying houses now are getting a better deal. However, the Scottish National Party's position is to take that deal away. That is, in fact, an £80 million tax grab on Scotland's home owners. [Interruption.]

The Presiding Officer: Order.

Ruth Davidson: Two months ago, the SNP Government said clearly that property taxes should raise no more or less than the taxes that they replace. Has the First Minister changed her mind?

The First Minister: I have looked at the proposals that Ruth Davidson and her party put forward today. When we talked about the issue a couple of weeks ago, I invited her to make proposals, which I said that I would consider carefully. I will keep that promise, and I and the Deputy First Minister will consider the proposals carefully.

In the press release on the proposals, Ruth Davidson said that they would cost £90 million and that they are affordable because of a benefit to the Scottish Government budget. I am not quite clear how she can arrive at that conclusion, because we have not got to a final agreement on the block grant adjustment, and the direction of travel that we think that we are headed in would not take us anywhere near £90 million.

When we get the final—I stress the word “final”—agreement on the block grant adjustment, we will be able to assess whether our proposals are revenue neutral, revenue positive or revenue negative. At that point, we will be able to consider further proposals of our own, if we want to make any, and further proposals from the Conservative Party.

That is the spirit in which I approach the issue—it is the spirit of the consensus that I have offered. To be fair to Ruth Davidson, she has brought forward specific proposals, which the Government will consider seriously.

Ruth Davidson: I welcome the First Minister’s conversion to the cause. I am glad that she will consider our proposals, but I will press my case. There are some simple facts to consider. From midnight on 3 December, thanks to the UK Government, home owners in Scotland are paying £80 million less in tax. The proposals published by the Scottish Government this morning are fully costed—

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): We had nothing to do with it.

Ruth Davidson: I am sorry; John Swinney is correct to point out that the proposals were published by the Scottish Conservatives, but I hope that the Scottish Government will soon adopt them, given that the First Minister is so consensual.

The proposals are fully costed not just from the £80 million tax cut that will be passed on but from all the other unallocated Barnett consequentials from the 2014 autumn statement. I am glad that the First Minister will consider our proposals, because they will give a tax cut to ordinary people who want to get on the property ladder and to ordinary people who want to climb the property ladder and, at the lower end, they will take more people out of tax altogether. In comparison with the SNP plans, our proposals constitute a better deal for every single homebuyer.

As she did last week, the week before that and the week before that, the First Minister claims that she wants to be consensual. So far, she has not actually moved on any issue. We have shown how it can be done, so I urge her to work with me to

make sure that it is done and that we give homebuyers an early Christmas present. When can we meet to make our proposals become reality?

The First Minister: For the avoidance of doubt, I say that my approach to consensus does not extend as far as allowing the Scottish Conservatives to call themselves the Scottish Government. I have to draw a line in the sand there. I know that Ruth Davidson likes lines in the sand, so I will draw that one firmly.

The finance secretary has already offered to meet Gavin Brown to discuss the proposals and that offer stands. It is worth reminding members that, under our proposals in comparison with the UK Government’s proposals, 80 per cent of transactions would leave people better off or no worse off, and 5,000 more people would be lifted out of paying tax altogether—they would pay nothing.

I have said that I will consider the Conservatives’ proposals, but I will consider one aspect of them very carefully. Under the proposals that Ruth Davidson has made today, the 80 per cent of people who buy houses that cost less than £250,000 would be £100 better off than they would be under our proposals. However, the 2 per cent of people who buy houses that cost more than £500,000 would be £12,600 better off. I will want to consider simply whether that is fair.

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): What does the First Minister think of the Supreme Court judgment on the two midwives and their participation in abortion? Where does that leave individual workers’ rights in relation to conscientious objection?

The First Minister: Yesterday’s ruling confirmed that midwives’ right to conscientious objection to taking part in abortion remains protected. In her opinion, Lady Hale clarified that midwives could not be compelled to participate in

“actually performing the tasks involved in the course of treatment.”

Elaine Smith (Coatbridge and Chryston) (Lab): Is the First Minister aware that a number of Scottish businesses, including some in my constituency, have difficulty in trading with Cuba because of the United States blockade? Will she join me in welcoming President Obama’s historic announcement yesterday of moves to normalise diplomatic and economic ties with Cuba, which included the immediate release of the remaining three members of the so-called Miami five?

The First Minister: I very much welcome President Obama’s announcement about normalising relations between the United States and Cuba. I will go further and say that, if that

assists Scottish businesses in increasing their exports, that is very much to be welcomed.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD):

I associate myself with the remarks about the suffering in Pakistan and Australia, and I welcome Kezia Dugdale to her position.

To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-02478)

The First Minister (Nicola Sturgeon): Matters of importance to the people of Scotland.

Willie Rennie: Yesterday we learned from the Public Audit Committee that the person appointed by ministers to head up Revenue Scotland has no accounting or taxation qualifications. Was that really a wise appointment?

The First Minister: The director general of finance in the Scottish Government is a chartered accountant, so that is the first part of my answer to Willie Rennie. In addition, I read some comments that were issued by Willie Rennie at the weekend criticising the head of Revenue Scotland, who in that context was not able to answer back. However, yesterday, when she was before the committee and would have been able to answer directly the points that Willie Rennie wanted to put to her, he did not bother turning up to put those points directly to her. I have to say that, in the relationship between politicians and civil servants, that was rather a poor show.

Willie Rennie: When the head of Revenue Scotland was asked questions by Tavish Scott yesterday at the Public Audit Committee, she soundly failed to answer any question at all. Yesterday, Caroline Gardner stood by her report. She said that there was absolutely clear evidence. I am surprised that the First Minister continues to stand by this position.

Ministers boasted that Revenue Scotland would be the most efficient tax agency in the world, but it is already 25 per cent over budget. We have the prospect of an old-fashioned paper-based system in the 21st century and now we discover that the head of the tax agency has no tax qualification. It is hard to believe that, just three weeks ago, the head of Revenue Scotland said that there was "nothing negative" to report. What confidence can we have that the First Minister will tell us if anything negative happens again?

The First Minister: Let me repeat that Willie Rennie accused that civil servant at the weekend of potentially misleading Parliament and then did not have the courtesy to go to the committee to put that allegation to her directly and allow her the opportunity to answer it. More substantively on this

issue, I did not and do not criticise Audit Scotland's report. In answer to Willie Rennie last week, I gave some substantial facts about the progress that Revenue Scotland is making on the employment of staff, the implementation of its information technology system and the testing of that system.

I think that we should all be supporting and getting behind Revenue Scotland as it makes the progress it needs to make to implement and deliver the devolved taxes from 1 April. The Deputy First Minister and I will be overseeing that very closely. Willie Rennie—or any member—is entitled to ask the officials to go before parliamentary committees; they have done that in the past. Maybe in future Willie Rennie will turn up to a committee and ask some questions himself.

This is a matter of the utmost seriousness. I said to Willie Rennie in perfectly good faith last week, and I say to him in perfectly good faith again today, that this Government takes it seriously. I am happy to discuss it in this chamber or anywhere else with Willie Rennie at any time.

Rendition Flights (Judicial Inquiry)

4. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the First Minister what the Scottish Government's position is on a judicial inquiry being held regarding any part that Scotland might have had in respect of possible United Kingdom involvement with rendition flights at Scottish airports. (S4F-02480)

The First Minister (Nicola Sturgeon): The Scottish Government strongly opposes so-called rendition flights. Scotland has always been a country that respects the rights and responsibilities of all its citizens and the rule of law. The Scottish Government has not and will not approve a policy of facilitating the transfer of individuals through Scottish territory or air space to places where there are substantial grounds to believe that they would face a real risk of torture.

There is already an on-going Police Scotland investigation directed by the Lord Advocate into the alleged use of Scottish airports for so-called rendition flights. I hope that everybody in the chamber will agree that that must be allowed to run its course.

Christine Grahame: I thank the First Minister for her answer. However, in 2005, following reports that, inter alia, there had allegedly been seven rendition flights by the Central Intelligence Agency through Wick and Inverness airports, the Danish Government denied the CIA the use of its airports, and yet the UK Government and the then Scottish Executive, which incidentally owned both airports, did nothing. The issue was treated—I

repeat, for the Tory press office, treated—not with similar seriousness. Does the First Minister agree that there must be a fully independent judicial inquiry, and not a UK Parliament inquiry, and that the Crown Office, which has already been referred to, must play its full part as it seems that there might very well have been crimes committed on Scottish soil?

The First Minister: I certainly agree with Christine Grahame that the issues raised about rendition flights should be fully and thoroughly investigated, not least where there has been any active criminality. I support Christine Grahame's call for the UK Government to open an independent, judge-led inquiry into these matters.

As I indicated in my earlier answer, there is an on-going criminal investigation into the alleged use of Scottish airports for rendition flights. I am sure that arrangements could be made to ensure that a judge-led inquiry and the Police Scotland investigation could take place in parallel so that these matters were scrutinised fully, as they deserve to be.

Kinloss Rescue Co-ordination Centre (Closure)

5. David Stewart (Highlands and Islands) (Lab): To ask the First Minister what discussions the Scottish Government has had with the Ministry of Defence regarding the closure of the Kinloss rescue co-ordination centre. (S4F-02486)

The First Minister (Nicola Sturgeon): The Scottish Government absolutely does not support the closure of the aeronautical rescue co-ordination centre at Kinloss. The relocation of the centre represents the latest in a series of disproportionate cuts to military personnel and MOD civilian staff in Scotland. It also follows previous United Kingdom Government cuts to the coastguard service, which this Government also strongly opposed.

I am disappointed that the Scottish Government was not alerted to the closure and so held no discussions with the MOD in advance of its announcement. Following that announcement, the Government contacted the MOD for urgent assurances that the closure would have no detrimental impact on search and rescue provision, tasking or co-ordination in Scotland. Subsequently, the Cabinet Secretary for Infrastructure, Investment and Cities wrote to the Secretary of State for Defence to confirm that the Scottish Government does not support the decision and to note our disappointment that we were neither consulted nor notified in advance of the announcement, despite the very significant devolved interests that are involved.

David Stewart: At Christmas a little more than 10 years ago, I was an observer on a Royal Air

Force search and rescue helicopter, which was flying a few hundred feet over Loch Ness. It was sent by the centre to save a Swiss tourist who had fallen off the mountain in Glen Coe, so I know at first hand the experience, the expertise and the excellence of the staff at Kinloss.

I believe that closing the centre defies the military maxim that if it ain't broke, why fix it? Will the First Minister join all the party leaders today to make an eleventh-hour bid to save the Kinloss centre and provide some Christmas cheer for the civilian and military staff who are acknowledged by mountaineers and offshore workers alike as a beacon of light on the hill?

The First Minister: I thank Dave Stewart for his question and the tone in which he asked it. I acknowledge his long-standing interest and expertise in this area. I could not agree more with the sentiment—or indeed the substance—of his question. I would be delighted to convene a cross-party campaign from the chamber to seek to persuade the UK Government to change its mind. I am happy to have further discussions with Dave Stewart and his colleagues on that matter.

Lima Climate Change Agreement

6. Patrick Harvie (Glasgow) (Green): I associate the Green and Independent group of MSPs with the comments made regarding the terrible crimes in Pakistan and Australia. I also offer our congratulations to Kezia Dugdale on her election.

To ask the First Minister what the Scottish Government's position is on the agreement that was reached at the climate change talks in Lima. (S4F-02497)

The First Minister (Nicola Sturgeon): The Lima call for climate action has kept the international negotiations moving forward, although with very important issues—principally, the overall level of global ambition—yet to be resolved. Scotland has already unilaterally set challenging targets, both pre and post-2020, with a world-leading target of at least a 42 per cent emissions cut by 2020 and a 58 per cent cut by 2027. That is in line with what the climate science tells us we have to do.

Scotland's targets are not easy, but they are at the level that the international community needs to match if the new universal climate treaty in Paris next year is to stand a good chance of limiting the global temperature rise to no more than 2°C, as the international community has already agreed to do.

Patrick Harvie: If we are ever going to see a meaningful, robust and legally binding agreement come out of this process, it is vital that wealthy, developed countries—particularly those that are

still precariously dependent on the production of the very fossil fuels that have brought the climate into such global peril—are able to make commitments of the kind that the First Minister refers to, so the Scottish Government is right to attend those talks and to demonstrate that commitment. However, that commitment is only credible if we start meeting the targets rather than just setting them. What policy changes does the First Minister think are necessary from the Scottish Government to start meeting those targets and rebuilding our credibility on climate change?

The First Minister: First, I agree wholeheartedly with Patrick Harvie that there is no point in setting targets if your determination is not to meet them. We will continue, through the report on proposals and policies and further iterations of that document, to look very critically at the policy interventions that we are making, where we are not succeeding in some of those interventions and where we need to do more. We will continue, as we have done in the past, to seek to involve the entire chamber in that process.

On a positive note, in the context of that question it is worth noting that figures out just this morning show that, for the first time ever in Scotland, generation from renewables accounts for the same proportion of total generation as fossil fuels. There is much for us still to do, but we are making good progress and we have the ambition to do more. I would hope that everybody could welcome that progress.

Roderick Campbell (North East Fife) (SNP): What assistance can the Scottish Government provide to developing countries to help them to reduce emissions?

The First Minister: We will seek to ensure that, as well as its other objectives, everything that we do through our international aid programme helps to reduce emissions. Humza Yousaf, the Minister for Europe and International Development, would be happy to talk to Rod Campbell in greater detail.

Perhaps the greatest thing that we can continue to do, not just in respect of developing countries but overall, is to challenge ourselves to lead by example. In so many areas, actions speak louder than words. Let us keep doing the right things; in doing that, we can encourage others to follow our example.

Sarah Boyack (Lothian) (Lab): What particular policy does the First Minister think we need to put on the agenda in Scotland, given that we have missed our targets three years in a row and that there are key areas, such as transport, housing and agriculture, where we need to make urgent progress?

The First Minister: I congratulate Sarah Boyack on her new shadow cabinet post.

Sarah Boyack knows what the specific policies are that we think we need to achieve, because they are laid out in some considerable detail in the RPP. They go right across the spectrum of our responsibilities—on housing, on transport and on agriculture. Some of the targets are challenging and difficult to achieve, which is why we need to continue to challenge ourselves to do more. If those targets were easy to meet, they would not be ambitious enough. Let us all resolve, then, to keep doing what we need to do.

There is a lesson here for all of us as politicians. In my experience in government, which now stretches over seven years, I have found that we hear calls from Opposition members to do things, until those things become controversial, and then they oppose us doing those things. Let us all be determined, not just to have warm words on this issue, but to follow through with the brave action that is needed.

Scotland's Outstanding Year of Sport

The Deputy Presiding Officer (John Scott):

The next item of business is a members' business debate on motion S4M-11157, in the name of Roderick Campbell, on Scotland's outstanding year of sport. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes what it considers to have been an outstanding year for Scottish sport, including, but not limited to, its athletes' success at the Winter Olympics, the spectacle and achievements of the Commonwealth Games, the Ryder Cup success at Gleneagles, the staging of the Dunhill Links Championship at two of North East Fife's most iconic golf courses and Carnoustie and the choice of Hampden Park as a venue for group games and a knockout round at Euro 2020; believes that 2014 has helped to build on what it believes to be Scotland's reputation in a number of sports; considers that the momentum gained from the successes both in, and outside, sporting arenas must be built on for future sporting generations and considers development of grassroots and introductory level sports to be of particular importance to encourage more people to take up a new sport; praises all those involved, in any capacity, in making the sporting events that Scotland hosted in 2014 a success and notes the particular contribution of the large numbers of volunteers, and hopes that Scotland can be the venue for large-scale sporting events in the future and that this can help to encourage people to continue to live a healthy, active lifestyle.

12:33

Roderick Campbell (North East Fife) (SNP): It will not have escaped the attention of anybody in the chamber that an historic vote took place on 18 September. That vote—the first of its kind that has taken place—had the ability to lay a marker down in history. It was an opportunity to reject a centuries-old system that some believed was outdated and unrepresentative. The vote had a very high turnout, of approximately 85 per cent.

I can see one Opposition member thinking, "What's this about?" I speak, of course, of the ballot that took place of the members of the Royal and Ancient Golf Club of St Andrews over whether to allow female membership. I am certain that we all welcome the decision by the R&A to allow female members at last, with some 85 per cent of members in favour. I hope that the days of the so-called old boys clubs will soon be nothing more than a distant memory.

However, that was only one of the momentous occasions in Scottish sport this year. I am aware that I have only seven minutes in which to speak, and I do not want to fill all that time reflecting on the glorious sporting achievements of our sportsmen and women in the past 12 months, although I very easily could. I am certain that

everybody who speaks in the debate could devote their time to listing all the sterling achievements of Scotland's athletes and still there would be one dedicated, hard-working professional athlete missed out or one achievement overlooked. However, I think that we can all agree that all our athletes across all sports deserve our thanks and praise for their performances in 2014, including even our national football team, which has undergone something of a renaissance under Gordon Strachan.

I think that we can all agree that 2014 was an outstanding year of Scottish sport. Indeed, it is almost a cliché to say that we are running out of clichés to describe how exciting were the two biggest sporting events to occur in Scotland in recent years: the Commonwealth games and the Ryder cup. The Ryder cup saw some of the world's most famous golfers descend on Gleneagles for what was by all accounts an exceptionally well-organised and well-run event. There was even a Scottish golfer—Stephen Gallacher—in the European team, who did the country proud over the Ryder cup weekend in contributing to what was recognised as an excellent team effort, which was led by the captain, Irishman Paul McGinley.

The Commonwealth games produced a brand-new list of heroes who will adorn posters on bedroom walls throughout the country for aspiring children who hope to emulate their achievements. If the photo book of the games that I think was delivered to all MSPs' offices earlier in the week is anything to go by, there are certainly some inspirational images for our young people to look up to. Team Scotland had its most successful games ever, and I hope that sport in Scotland will soon reap the rewards—some places in the country have already done so.

Areas across Scotland have benefited from the Commonwealth games either directly by being able to host an event or indirectly by receiving funding to improve sporting facilities in their communities. For example, in North East Fife, Cupar skate park will soon be up and running, courtesy of a cash injection from the 2014 legacy fund, and several schools and clubs have received funding to improve sporting experiences for children and young people. Another £500,000 of 2014 legacy funding was recently announced, which I am sure will be put to excellent use in the communities that are fortunate enough to receive a share of it.

My genuine hope is that the sporting achievements that we have witnessed from our athletes can be a positive example to our young people. We could all stand here today and sing the praises of those who have achieved so much this year. They rightly deserve our praise for their successes and for entertaining us so well. Their

dedication to their sport is unquestionable and their resolve to be the best in their chosen field is undeniable.

However, it is no good simply admiring our current sporting idols; we must look to improve on the current crop of star athletes, and the only way to do so is to look at grass-roots sport. Local sports clubs, whose members devote their time, money, blood, sweat and tears to providing sporting opportunities for local youngsters, truly deserve our admiration. Our sporting stars of tomorrow are born and nurtured in groups such as Fife Floorball Club, which this week helped to raise money with the Kirkcaldy and District lions club for Rachel House children's hospice and which attracts more than 30 children to its weekly training sessions, and in clubs such as the Howe of Fife Rugby Football Club in my constituency, which offers rugby classes to hundreds of local children every week and which this year saw two of its alumni run out at Murrayfield for the Scottish national team.

Those of us who played rugby in the past will perhaps look enviously at the facilities and opportunities that are now available. Nothing can ever prevent the Scottish climate from taking a turn for the worse, but improved facilities, better pitches and the availability of more equipment for local clubs are all vital components for providing a more enjoyable experience for our young people. I hope that that will also encourage them to carry on with sport as they grow older. It is fair to say, however, that more can be done to provide even more sporting opportunities for our young people.

I will close by considering the work that the Scottish Government has carried out to ensure that Scotland's outstanding year of sport in 2014 can be replicated in future years. I have spoken about the 2014 legacy funding, which has benefited many clubs and societies in North East Fife. For example, Cupar, which is in my constituency, will soon be home to a community sport hub. Further, according to the Scottish Government's website, the active schools network has been credited with providing millions of opportunities for young people to be involved in sport. I am aware that the active schools arrangement is in place in all 32 local authorities until next year, and I look forward to hearing what the future holds for the network.

This year, 2014, has been an excellent year for sport in Scotland and for Scottish athletes. I look forward to being able to say the same thing of 2015, which of course will bring the British open again to my constituency, with no doubt some new sporting heroes.

12:39

Liz Smith (Mid Scotland and Fife) (Con): I commend Roderick Campbell for bringing this

members' business debate to the chamber. In a week that began with the BBC sports personality of the year awards in Glasgow and Prince Harry's eloquent speech at that event, in which he reminded us all of the power that sport has to change lives for ever, it is appropriate that we celebrate the role that Scotland has played in 2014. As Roderick Campbell rightly said, it has been a year like no other.

As I have spent 40 years of my life actively involved in playing different sports—at a wide range of levels, I have to say, from beginner to international in one sport—and coaching many youngsters from very different backgrounds, I believe that sport in Scotland in 2014 has given us a great deal to think about for the years ahead. Those themes feature strongly in the current programme of the cross-party group on sport, which I co-chair with Alison Johnstone.

It goes without saying that it is a particular pleasure for Mid Scotland and Fife MSPs to celebrate the hugely successful Ryder cup at Gleneagles, and Roderick Campbell was right to point to the British open coming back to Mid Scotland and Fife next year, but we should not forget about curling. Not only were 10 of the 12 Great Britain curling medallists at this year's winter Olympics from Scotland, but seven of them live in or near Stirling.

Hosting major sporting events and producing elite talent are not just a matter of pride or benefit to our local economies—although the record numbers of spectators are testament to that; they also reflect something that is ingrained in each of us and in society: our love of competition. Competitive sport develops a work ethic and develops and reinforces social bonds, friendships and a sense of community. Quantitative measurements do not help in putting a value on that but, if we look at the faces of the schoolchildren who took part in all the associated sporting events this summer, we do not need them. Sport speaks for itself.

For many people, it is the spectacle as well as the sport that is important. That is clearly evident from the 600,000 visitors to the Commonwealth games, who witnessed elite-level competition in world-class settings, including in sports with which they were previously unacquainted. For me, some of the greatest joys of the summer were in witnessing the successes in so-called minority sports such as squash, netball and bowls, which attracted huge crowds. An important part of that was the improvement in broadcasting that accompanied those sports. Media interest in some of them has increased, which is a healthy sign.

I am appalled when anyone says that competitive sport should be banned. I can think of nothing that would be more contrary to the spirit of young people and real life or that would do more

harm to young people's self-discipline. Roderick Campbell is right to say that we must attach great importance to that part of the legacy. In my estimation, competitive sport must return to all schools and be enshrined in the legacy for the years ahead.

Something that can help with that is the growing value that we attach to lots of different sports rather than those that, over time, have dominated the school timetable. In years past, football, rugby, hockey and athletics have perhaps been the dominating sports, but times are changing, which is greatly to the benefit of more youngsters participating.

Schools hold the key in much of this, but we also have to accept that we need to do more to encourage a culture change in how we react to sport. SportScotland is strong on that at present, and it comes up time and again at the cross-party group on sport. Our previous convener was Margo MacDonald, and she made that point regularly. It is also true of music and languages, but sport is perhaps more engaging, as it attracts people of all backgrounds and tastes and inspires the passion, creativity and innovation that are missing for too many youngsters.

For that reason, I warmly welcome the wider coverage of sports, male and female. Roderick Campbell was right to point to the correct decision that the Royal and Ancient has made to invite women to be members.

There is lots to celebrate. I hope that the legacy of this phenomenal year is not measured just in quantitative improvements in participation rates and changes in people's perception of health but that there is a much better attitude and culture around sport, for which I have a considerable passion.

12:44

Kenny MacAskill (Edinburgh Eastern) (SNP): I, too, thank Rod Campbell for securing this debate, and I want to echo the points that he has already made. His motion, which covers national and local aspects, offers us the opportunity not only to review the past year of success but to look forward to even better times both nationally and at community level.

This has been a great year for sport not just in Glasgow—although I think that history will record that what happened this year was transformational for the city and has given it the chance to look forward to future successes, not just to look back at past successes—but, as Rod Campbell has pointed out, in other places such as Gleneagles and communities the length and breadth of the country.

Scotland is a better place for what has been achieved not just by those meeting their paid and salaried commitments but by those volunteers who helped with the Commonwealth games, for example, or who are, as Rod Campbell said, the unsung heroes. They support sport at a grass-roots level every day, and they have done so even when the times have perhaps not been as favourable as they are now.

What has happened this year has also been transformational with the recognition that sport is not simply an individual action. People can join clubs or take out gym memberships, and Government has clearly recognised that we have to encourage participation in sport for the public good. Even if some sports are individual pursuits, it is all about the collective good, and in that respect I echo Rod Campbell's comments.

The fact is that this year has been good not only for the elite but for the grass roots. I know that Rod Campbell has that grass-roots commitment at his heart; he mentioned Howe of Fife, and I know about the lobbying that he has done on behalf of that club. I, too, pay tribute to the club's success and the international players who have gone on to success wearing the Scottish jersey, but I also know of Mr Campbell's efforts to ensure that the club has the facilities in order to secure future successes to match those of the players who are currently pulling on the dark blue jersey.

I know of such successes in my own community. For example, Lochend Amateur Boxing Club, which is in a challenged area, has had its difficulties in the past, but it has been remarkable in the way that it has dealt with and turned round some challenging individuals. This has been a remarkable year for the club. Josh Taylor's success in winning a gold medal at the Commonwealth games has been felt not just by every member of the club but by the entire community, as has the success of Lewis Benson, who was successful in getting to the games but was unlucky in the draw and unfortunate in not getting further. The same effects at grass-roots level can be seen in Edinburgh Eastern as in North East Fife.

We have the possibility to build on the legacy for the future, to compete internationally and to make bids for other events. Because of the size of our stadia, we are not going to get a champions league final, but there are other international events that we can bid for, and our track record of success puts us in a position where we can look forward to successfully hosting other international events.

As Rod Campbell has said, this debate is also about what is happening at the grass roots. Many years ago, the late David Taylor made the point to me that, although Scotland had some of the best

professional football facilities of any small nation anywhere in the world, we had some of the worst community facilities in Europe. That is why we must ensure that the legacy is not just about how we do in international—or even national or regional—competitions, but what we do at grass-roots level. The days of blaes pitches for young footballers must be consigned to the past as 3G pitches come in.

As Liz Smith has made clear, it is not only football and rugby that have had a boost, but boxing and numerous others sports. We have a chance not only to make Scotland a better place and put it on the global sporting map but to build a grass-roots sporting opportunity with the recognition that sport is for all, irrespective of people's ability and the size of their wallets. Equally, however, we have to give people such as those who play at Howe of Fife the opportunity to compete on an international stage. That can be done; indeed, it is being done. We can look back at success but we can also look forward to an equally successful future.

12:49

The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn): I suppose that, at the end of any year, there is a tendency to look back at what has gone on in the preceding 12 months. There is absolutely no doubt that what has been a remarkable and exciting year in general for Scotland has been an incredible year for Scottish sport. The eyes of the world were on Scotland in 2014; we conducted ourselves very well.

It is particularly appropriate that the last members' business debate of the year gives members the opportunity to offer their perspective on this year's sporting achievements. I therefore thank Rod Campbell for securing the debate to let us do just that; I thank the members who have taken part, too.

I turn to this year's highlights. As Liz Smith reminded us, at the beginning of the year, Scottish curlers—and Stirling curlers in particular—had phenomenal success on the world stage, where they won medals at the winter Olympic and Paralympic games at Sochi. Those talented and committed athletes helped to promote the game in Scotland and, as outstanding athletes and ambassadors, inspired many people to try curling and become more active in their lives. The success in Sochi kick-started an outstanding year for sport.

Moving on to the summer, the sun shone—most of the time—the venues were ready and Scotland was a proud host of the 20th Commonwealth games. The Scottish Government backed its

commitment with funding of £382 million, 66 per cent of the total games budget.

We saw team Scotland achieve its highest ever medal haul, winning a total of 53 medals across 10 sports. Rod Campbell rightly spoke of a list of heroes. There are too many to mention them all, but I will mention a few.

On Tuesday, I was privileged to be at the JudoScotland reception. The judokas who took part in the Commonwealth games were all in attendance. It is worth reminding ourselves that we won 13 medals in 14 competitors. That was the best medal haul for a single sport at a Commonwealth games, and JudoScotland's pride at that achievement was clear to see. I was pleased see it bestow honorary life membership for all those athletes who had been part of team Scotland at the games. JudoScotland described that as the highest honour that it could bestow on its members.

There was the inspirational performance of Lynsey Sharp, who rose from her sick bed to claim silver in the 800m at Hampden. That was a tremendous example of the triumph of human willpower, commitment and dedication. In addition, there was the outstanding achievement of our lawn bowls team against the outstanding backdrop of Kelvingrove.

We saw the emergence of Ross Murdoch, yet another great Scottish swimmer. We saw 13-year-old Erraid Davies, Scotland's youngest ever Commonwealth games athlete and medal winner. That is an extraordinary achievement for someone so young.

No one will forget the mailman, Charlie Flynn. If ever there is someone who could rank as personality of the year—in any field, let alone that of sports—it must be the charismatic Mr Flynn.

We should also remember that team Scotland won four medals in five parasports. We should be particularly proud of having delivered the highest number of parasports medal events in Commonwealth games history. Furthermore, unlike the Olympics, where the Paralympics was a separate event, the parasports were integrated fully into the Commonwealth games.

The city of Glasgow featured as the star of the show. We Glaswegians are very proud. We are sometimes defensive of our city, but there was no need for that in the case of the Commonwealth games—there was every reason to be proud. The people of Glasgow and Scotland rose to the occasion. In prime place among them were our marvellous Clyde-siders and the cast members from the opening ceremony. The games heralded in a new generation of passionate and enthusiastic volunteers who were central to making the games

the best games ever. I thank all those who volunteered during the games.

I recently visited Volunteer Scotland, which is based in Stirling, where I met games volunteers. While there, I announced that the Scottish Government is supporting Volunteer Scotland with more than £114,000 to harness the enthusiasm from the games and to promote the rich and diverse benefits that volunteering can bring.

Rod Campbell spoke of the important role of volunteers. I recognise their role and am very supportive of it. We want to see a legacy not only of volunteering but of increased participation. That is about more than just investment—Kenny MacAskill touched on the inspiration that individual athletes can bring to those who look up to them, which is part of the legacy.

However, it is also about investment, as Rod Campbell said. More than 100 projects have been supported by the £10 million legacy 2014 active places fund, and yesterday in Castlemilk I attended an event to mark the 21 projects that are being funded by our £1 million legacy 2014 sustainable sport for communities fund. Games equipment is now being used across the country, at Grangemouth stadium athletes will be able to run on the Hampden running track, and the games facilities are now open to the public. I was recently at the Emirates arena, and one of the best things that I saw there was members of the public using the facilities.

I should say something about the Ryder cup.

Liz Smith rose—

Jamie Hepburn: I will give way to Liz Smith. *[Interruption.]*

The Deputy Presiding Officer: Can we have Liz Smith's microphone on, please?

Liz Smith: The minister makes a valid point. Kenny MacAskill made an important point, too. The Scottish Government has been trialling an important initiative that involves families in golf in order to help youngsters to come through. Is the Scottish Government going to pursue that in all sports in order to reach a wider age range among the public?

The Deputy Presiding Officer: If the member had put in her card, that would have helped with the sound.

Jamie Hepburn: I managed to hear Liz Smith's point anyway. She is talking about the club golf programme, which is an excellent programme that I was just about to touch on. Where we can deliver that type of initiative in other sports, we will seek to do so. I have to say that the budget is limited and that, if we had more money, we could do more. However, of course, we welcome and will try to support that type of initiative.

The Ryder cup was another example of Scotland's ability to deliver, and it reinforced Scotland's status as the home of golf. Around 45,000 golf fans from around the globe packed the course for each of the three days of play. Liz Smith mentioned the BBC sports personality of the year award and the moving tribute to the injured service personnel who took part in the Invictus games. At the same award ceremony, Chris Hoy received his well-deserved lifetime achievement, and when team Europe won the team of the year award the captain, Paul McGinley, was gracious in first thanking the people of Scotland. As with the Commonwealth games, our people were a vital part of the success of the Ryder cup.

As well as securing the legacy from the Commonwealth games, we want to secure a legacy from the Ryder cup. We want to be not only the home of golf but the future of golf. To underline that commitment, earlier this year the Scottish Government announced additional funding of up to £1 million over a four-year period to help to introduce yet more youngsters and families to the game of golf. Through the club golf programme, we have encouraged more than 350,000 youngsters to pick up a club and get involved in the sport.

I am running out of time. I wanted to talk about the tremendous achievements of our national teams. Our cricket team has qualified for next year's world cup, and we have seen impressive performances from our rugby team. Our women's football team is now ranked 21st in the world and came very close to qualifying for the world cup, and the men's team is greatly improved and is on course to qualify for Euro 2016.

In closing, I should say that, although 2014 has been an outstanding year, we look forward to next year when Scotland will host the world gymnastics championships, the International Paralympic Committee swimming world championships and the world orienteering championships as well as the European judo championships and the European eventing championship. In addition, the open championship will return to Scotland in 2015 and 2016, and St Andrews will welcome the women's British open next year.

Our ambition for the years ahead is to build on our reputation as the perfect stage for major events, which we have established through this year's achievements. This year has given us the experience and knowledge to deliver, and 2014 will be hard to live up to. Nevertheless, I am confident that we have many outstanding years of sport ahead of us.

12:59

Meeting suspended.

14:30

On resuming—

Junior Minister

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business this afternoon is consideration of motion S4M-11926, in the name of Nicola Sturgeon, on the appointment of a junior Scottish minister. Members should note that the question on the motion will be put immediately after the debate and not at decision time. I call Nicola Sturgeon to move the motion. First Minister, you have about five minutes.

The First Minister (Nicola Sturgeon): I rise to speak to and move the motion in my name, which asks the Parliament to agree that Fiona McLeod be appointed as a junior Scottish minister. As members will be aware, the reason for the appointment is that, as of today, Aileen Campbell, the Minister for Children and Young People, is going on maternity leave from her ministerial duties.

I have made very clear something that I think is supported across the chamber: it is a priority for me during my tenure as First Minister to ensure greater opportunities for women—indeed, to shatter the glass ceiling. An essential part of that is encouraging and supporting parental leave, especially maternity leave, as a way of enabling working parents to care for young children and then return to the workplace.

I believe that this is the first occasion in the lifetime of the Scottish Parliament on which a Scottish minister has taken maternity leave. It is absolutely standard practice in other working environments for women to go on maternity leave and have somebody else take over their duties, so I really hope that Aileen's example contributes in a small way to making politics more normal. The Parliament should never be exempt from what we see as good practice in other workplaces; instead we should seek to set a clear example wherever possible.

I am therefore delighted on behalf of—I am sure—the whole chamber to wish Aileen, Fraser and Angus well over the coming months. We very much look forward to seeing Aileen back next year.

I can also confirm to Parliament that Aileen has chosen to give up 59 per cent of her ministerial salary entitlement during her planned period of maternity leave, which means that she will receive, on an averaged-out basis, the statutory maternity pay equivalent of her ministerial salary, which is 90 per cent of salary for six weeks, followed by weekly payments of £138.18. She has requested that the amount that she is foregoing be allocated

to the Scottish Government's children and families budget. [*Applause.*]

I am absolutely delighted to recommend Fiona McLeod for appointment as acting Minister for Children and Young People for the period of Aileen's maternity leave. Fiona became a member of the Parliament in 1999, in the first session, serving as shadow deputy minister for education, children and sport. Since returning to the Parliament in 2011, she has served extremely well as a senior whip and as a member of the Standards, Procedures and Public Appointments Committee. Outside her political work, and among many other roles and achievements, she was a volunteer founder of and youth worker with Westerton junior youth club.

Fiona is an extremely experienced politician, with a deep understanding of the challenges facing children, young people, parents and carers. I think that she will do an excellent job in her new portfolio. She will work very closely with all her ministerial colleagues, including, of course, Angela Constance, the Cabinet Secretary for Education and Lifelong Learning. All in all, I think that she is extremely well qualified to stand in over the next few months for an extremely able minister.

The appointment ensures that a highly able minister will be in place to look after an immensely important set of responsibilities during Aileen's maternity leave. Since taking over as First Minister, I have said that opportunities for young people and making sure that we give them the best start in life are extremely important. It is therefore vital that we have somebody with Fiona's capability steering those responsibilities.

Without further ado, it gives me enormous pleasure to move,

That the Parliament agrees that Fiona McLeod be appointed as a junior Scottish Minister.

14:34

James Kelly (Rutherglen) (Lab): On behalf of Scottish Labour, I join the First Minister in supporting the motion and welcoming Fiona McLeod to her position as a junior Scottish minister.

As Nicola Sturgeon said, this is a unique arrangement, but there is no doubt that it is the correct one. In taking it forward, the Scottish Government is showing leadership on the issue. It not only gives Aileen Campbell the appropriate time to be with her family at this crucial time in their lives, but ensures that another minister is in place to deal with the important issues in the brief.

On behalf of Scottish Labour, I wish Aileen Campbell all the best as she goes off on maternity leave. It is important that she has the time to

spend with her husband Fraser and her son Angus. We hope that everything goes well, and we wish her well.

There is no doubt that there are important issues for Fiona McLeod to address in moving into the portfolio, albeit temporarily. They include access to education, pushing up attainment and improving literacy levels.

One thing that Fiona McLeod mentions frequently when she speaks in the Parliament is her experience as a librarian. From my family and my daughters, I see that reading books—either paper books or books on Kindle—improves young people's vocabulary and their educational opportunities. I am sure that, in her time in the role, Fiona McLeod will bring to bear her experience as a librarian and her knowledge of the importance of supporting books and reading.

Fiona McLeod is a great supporter of the cross-party group on fair trade. We both serve on that group, and at a recent meeting we were involved in the promotion of fair trade footballs. We had some high jinks with the footballs and some good photographs were taken. I only hope that, when she takes up her position in her ministerial office, she does not try any keepy-uppy with the footballs. That might upset the staff and the civil servants.

On behalf of Scottish Labour, I welcome the unique decision that the Scottish Government has taken. I wish Aileen Campbell and her family all the best in the period ahead, and I welcome Fiona McLeod to her position and wish her all the best of good luck.

14:37

Jackson Carlaw (West Scotland) (Con): I have to say with all candour that I thought that we had approved this appointment when we dealt with the previous series of ministerial appointments. I can understand that there may have been an oversight on the part of the First Minister. She might have been slightly distracted. After all, at the time she was in the midst of her rock-Scot-nat-chick stadia tour, campaigning to become a cult. I watched the tour with interest, because one of her MSP colleagues tweeted pictures of himself high up in the gallery at the Hydro in Glasgow. I say to the First Minister that I thought that that was so cruel. How could Elvis be in the building but not be allowed to sing? It is tough, Chic—it is tough.

Of course we wish Aileen Campbell every happiness and a very successful addition to the family in due course.

One of the questions that arises from Fiona McLeod's appointment is, "Who is going to be the official water bearer for the Government front bench?" I hope that some gender balance is to be

brought to that responsibility. Joe FitzPatrick looks to me like a champion water bearer, and I think that the responsibility should be formally allocated to him. I hope that we do not have to have an appointments session here in the Parliament to confirm it, but that would be nice.

I wish Fiona McLeod every success for the time that she is in office. She has been appointed as a temporary acting minister. Not necessarily—shine, Fiona, shine! If she does, I pledge this: the Scottish Conservatives will lodge a motion for debate with an "X Factor"-style vote on who gets to stay. I know that the Presiding Officer is looking for new procedures in the Parliament, and here is an opportunity to give Parliament that democratic extension of voice and the opportunity to say who should stay and who should go. I hope that we are able to embrace such a proposal.

I wish Aileen Campbell and Fiona McLeod every success, and the Government, colleagues and friends in Parliament a very merry Christmas and a happy new year.

The Presiding Officer: On each of these occasions, someone has to follow Jackson Carlaw—and I am afraid that Jean Urquhart has the short straw.

14:40

Jean Urquhart (Highlands and Islands) (Ind): On behalf of the Green and Independent group, I congratulate Aileen Campbell and wish her a safe delivery and a happy Christmas. I think that we all agree that, for her stand-in, there could be no better choice than Fiona McLeod. When I read the list of her ministerial responsibilities, I imagined the long and comprehensive reading list that she might put together for everyone in each of the sectors in question. Her commitment to each of the areas will show, and I believe that she will take the job incredibly seriously. It is one of the most important positions in the Scottish Government and the Scottish Parliament, and I cannot imagine anyone better in it.

The Presiding Officer: Thank you, Ms Urquhart. We now move to the wind-up speech. I call the First Minister.

14:41

The First Minister: I will be very brief, Presiding Officer.

I thank James Kelly for his remarks. I have to say that I was shocked to hear that Fiona McLeod is a librarian—I have never heard her talk about that before. [*Laughter.*] Obviously, I jest, but I endorse James Kelly's comments, particularly his remark about the importance of reading in the development of young minds.

I also thank Jackson Carlaw. I have already carefully considered the issue of a water bearer, which I think is an important appointment. Since my appointment as First Minister, I have tried very hard to do things differently, and today I have taken the decision—and I hope that my ministerial colleagues will bear with me on this—that I am going to start getting my own water. I hope that my ministerial colleagues will follow suit.

As for Mr Carlaw's innovative proposal, I would expect nothing less from him. I am delighted to learn that he was watching my tour—it is probably the closest he will get to filling a 12,000-seater stadium—but when he suggested an "X Factor"-style vote, Aileen Campbell and Fiona McLeod whispered to me that they elect a dance-off instead. We will go with that, if that is okay.

I also thank Jean Urquhart very much. I will close by echoing her comments: I can think of no one better to fill the post than Fiona McLeod, and I hope that the chamber will give her its unanimous support this afternoon.

The Presiding Officer: That concludes the debate on the appointment of a Scottish junior minister.

The question is, that motion S4M-11926, in the name of Nicola Sturgeon, on the appointment of a junior Scottish minister, be agreed to.

Motion agreed to,

That the Parliament agrees that Fiona McLeod be appointed as a junior Scottish Minister.

The Presiding Officer: As we are moving to the next item of business, I suggest that Ms McLeod's hugs continue outside the chamber.

Welfare Reform and the Smith Commission

The Presiding Officer (Tricia Marwick): The next item of business is a Welfare Reform Committee debate on motion S4M-11840, in the name of Michael McMahon, on welfare reform and the Smith commission.

14:45

Michael McMahon (Uddingston and Bellshill) (Lab): I will attempt to set the scene for the debate, which focuses on three interlinked topics: the Welfare Reform Committee's report on the new more severe sanctions regime that is being operated by the Department for Work and Pensions; the committee's report on food banks and the link between the growth in their use and welfare reforms; and the Smith commission agreement on further devolution of powers to the Scottish Parliament.

Although this is the last debate before Christmas, I am afraid that some of what I have to say will not be very merry. The tone will perhaps be a little Dickensian and more in tune with "A Christmas Carol" than with any Christmas cheer.

Let us look first at sanctions and the view that the committee came to in its report. However, before I start, I should say that the views that I will express were agreed by the committee and published in the report, although members will be unsurprised to hear that committee member Alex Johnstone demurred on the findings.

In late 2012, the Department for Work and Pensions introduced a new benefit sanctions regime that increased the severity of sanctions for people who are on jobseekers allowance and employment support allowance. Under the regime, claimants may be sanctioned for up to three years. You heard me right, Presiding Officer: they can be sanctioned for up to three years. Before members think that that is just a notional level of sanction, the last time we checked the figures 79 people in Scotland had been sanctioned for three years.

The new regime has led to a significant increase in the number of sanctions that are being applied, despite the fact that numbers of people on the relevant benefits have dropped. The rate of sanctioning for jobseekers allowance increased rapidly through 2013 from 3 per cent at the start of the year to 5.7 per cent at the end of it.

As part of our inquiry, we invited a senior DWP official to give evidence on their views of the sanctions regime. In fact, we have invited DWP ministers but, over two years, we have failed to convince any of them to give evidence in public to the committee. That rather saddens me. Perhaps

in the post-referendum era we will be more successful.

We took evidence from Neil Couling, who is the most senior United Kingdom official responsible for jobcentres. I think that it would be fair to say that his evidence rather took us aback. He reported:

“many benefit recipients welcome the jolt that a sanction can give them ... Some people no doubt react very badly to being sanctioned—we see some very strong reactions—but others recognise that it is the wake-up call that they needed, and it helps them get back into work.”—[*Official Report, Welfare Reform Committee, 29 April 2014; c 1452.*]

He also suggested that jobcentres receive thank you cards from sanctioned claimants.

I have to say, having taken significant evidence, including at first hand from people who have been sanctioned, that the committee does not recognise that description of the sanctions regime. Instead, we see many weaknesses in the regime and in its application. Those are leading to a climate of fear around jobcentres, rather than one that encourages people to engage with them and find their way back to work.

In our report, we list seven weaknesses in the system. I will repeat them. There has been

“A consistent failure to notify people that they are being sanctioned and why.”

I will come back to that. There has been

“A lack of flexibility”

in the application and, indeed,

“misapplication of sanctions reducing the likelihood of people finding work.

There has been

“A failure to appreciate that many people on benefits just do not have the necessary IT skills ... to use the DWP’s Universal Jobmatch facility”

which is often a condition of benefit.

There was also

“A failure to make those sanctioned aware of the availability of hardship payments”

The DWP is apparently unable to provide figures for the number of people who receive hardship payments. There has been

“The consistent triggering of a stop in housing benefit as a result of a sanction, which should not happen”,

but does,

“and can lead to significant debt being incurred even for a minor sanction.

There is

“The lack of a deadline for decision-making on DWP reconsiderations, leading to delays in redressing wrong decisions”

and finally, there has been

“shunting of the costs of dealing with sanctioned claimants on to other agencies: local authorities; health boards; third sector agencies; etc.”

Perhaps the most serious of the weaknesses is the first—the failure to tell people that they have been sanctioned. We learned that it seems to be a common occurrence that people first realise that they have been sanctioned when they go to a hole in the wall and cannot get any money.

It turns out, that for some sanctions, there is not even a duty to tell people that they have been sanctioned. How on earth can sanctions work to encourage patterns of behaviour if people are not told that they have been sanctioned or why?

The weaknesses of the current sanctions regime are reflected in the outcomes of reviews of sanctions decisions. The statistics can be read in many ways, but four in 10 decisions to apply a sanction are overturned on review. There has been some debate about whether formal targets for the number of sanctions exist—some people argue that they do, but the DWP is clear that they do not. What is clear to the committee, however, is that whether or not formal targets exist, there is now a deliberate policy to drive up the number of sanctions to previously unheard-of levels, through managerial pressure on jobcentre staff.

The committee is not automatically opposed to a benefits system that incorporates conditionality, but we share the view of Citizens Advice Scotland that sanctions must be used only as a last resort for people who have consistently and deliberately refused to engage with jobseeking requirements without good reason. We believe that if sanctions are to be used they should be applied appropriately, consistently and with greater levels of discretion and support. We believe that the current operation of the sanctions regime is not in line with those principles.

Sanctions are also disproportionately affecting some of the most vulnerable groups of claimants—in particular, the disabled, single parents and young people, including those who have recently left care. In many cases, rather than being the driver to get people back into work that the DWP claims they are, sanctions are getting in the way of people getting back to work. In its report, the committee makes a number of suggestions for improvements to the operation of the sanctions regime. More important than those, however, is the need for a sea change in the culture of the policy from being punitive to being supportive.

Another key aspect of our recent work has been food banks. We found that welfare reform is a significant cause of the rise in demand that is being experienced by providers of food aid. We

strongly contest the United Kingdom Government's assertion that the growth in use of food banks is due solely to increased publicity and people choosing to use food banks as an economic choice. We found that there was a 400 per cent rise from the previous year in the number of people who were receiving assistance from food banks. A staggering 71,000 people—more than 49,000 adults and 22,000 children—were using Scottish Trussell Trust food banks. That is 22,000 children asking, "Please, sir—can I have some more?"

Our views have been supported by recent evidence. The Trussell Trust's most recent figures for Scotland, covering the period from April to September 2014, show that food bank use has increased by 124 per cent over the previous year's figure. Benefit issues are a major contributor to that increase, with 28 per cent of those who attend food banks doing so because of benefit delays and 18 per cent doing so because of benefit changes. Almost half the people who are attending Trussell Trust food banks in Scotland are doing so because of welfare issues.

Sandra White (Glasgow Kelvin) (SNP): Westminster refused to engage with the fund for European aid to the most deprived people. Would it have been a good idea for Westminster to engage with it, considering that Spain received €500 million? That would have helped with the cost of food banks.

Michael McMahon: I am sure that that would be worth considering, but I cannot, as the convener, comment on that because the committee did not take evidence on it. Anything that I would say would be a personal opinion, and I cannot give personal opinions in my speech.

The link must be acknowledged by the UK Government, which can no longer ignore the evidence. The Government must recognise that people are struggling to meet their basic need for food directly because of its actions. To be fair to Alex Johnstone, he was not supportive of that view. However, we all believe that it is important that food bank provision does not creep into welfare state provision. Food banks should be recognised as a community charitable response for individuals who are in crisis; they should not be welded into the infrastructure of the welfare state. They are a sign of a Dickensian model of welfare that should have no place in a prosperous nation. Ultimately the necessity for food banks should be eliminated.

That said, we have seen on visits to food banks in our local areas the current need for their vital support among individuals who are often desperate. We praise the dedication and commitment that is shown by food bank volunteers and we support the action that has been taken by

the Scottish Government to provide support through the emergency food aid action plan.

I want to introduce members to Denis Curran. Denis runs Loaves & Fishes, which provides food aid in East Kilbride and Glasgow, and he is just one example of volunteers' dedication and commitment. He spoke passionately at the committee of the desperate need of the people who turn to food banks, and he spoke of people with wee children coming to him after walking three or four miles in need of food. He told the committee:

"They are frightened and insecure, and they have no money."—[*Official Report, Welfare Reform Committee, 4 March 2014; c 1282.*]

People in Scotland care about these things. There is a YouTube clip of Denis's appearance at the Welfare Reform Committee, which almost 200,000 people have now viewed. I do not know whether that is a record for a Scottish Parliament appearance, but it tells me that Denis is not the only one who feels passionately about this issue.

I turn to the Smith agreement. I do not want to say too much about the agreement: I will leave others to talk about the ins and outs, and I am sure that there will be many views. The committee has yet to examine the agreement and therefore does not have a view on it. However, it seemed to us that it would be fruitless to have in Parliament a debate about welfare without acknowledging that the Smith agreement is likely to lead to substantial changes in this area and to greater responsibility for Parliament.

In November, we took from academics some evidence on devolution of welfare benefits, prior to the publication of the agreement. The academics' views were very mixed; some believe that devolving welfare benefits is an all or nothing proposition, whereas others believe that it would be possible to devolve areas of activity provided that their devolution was thought through and coherent. I guess that we are about to test that proposition.

In the future, we will have responsibility for a range of benefits including attendance allowance, carer's allowance, personal independence payments, industrial injuries disablement allowance, severe disablement allowance, the regulated social fund and discretionary housing payments. However, we will not, of course, have responsibility for the white elephant—if I can call it that—that is universal credit. The new responsibilities will result in expenditure of £2.5 billion to £3 billion a year, which is equivalent to our current budget for education and lifelong learning.

We have some major responsibilities to take on and some hard thinking to do on how we will

manage them. I hope that as well as looking back to some of the work that the Welfare Reform Committee has undertaken, this debate will look forward to the work that we will all have to do to make a success of our new welfare responsibilities.

I move,

That the Parliament notes the Welfare Reform Committee's 2nd Report 2014 (Session 4), *Food Banks and Welfare Reform* (SP Paper 537), its 4th Report 2014 (Session 4), *Interim Report on The New Benefit Sanctions Regime: Tough Love or Tough Luck?* (SP Paper 552) and the welfare proposals contained in the *Report of the Smith Commission for further devolution of powers to the Scottish Parliament*.

14:57

The Minister for Housing and Welfare (Margaret Burgess): I am grateful to the members of the Welfare Reform Committee for their work over the past year. Their evidence sessions have allowed us to hear directly from people who work on the front line about the damaging impact of the UK Government's welfare reforms and, which is important, from people who have been affected by the benefit changes, as Michael McMahon said. Because of that work, issues such as the rise in the use of food banks and the unfairness of the sanctions regime have been brought into the public domain.

As I have told Parliament, the Scottish Government is doing everything that it can to tackle the inequalities that continue to blight our society, and to ensure that everyone in Scotland has a chance to share in our country's economic growth. However, our efforts are being hampered by the UK Government's welfare reforms. We estimate that the price that Scotland has to pay as a result of the UK Government reforms is about £6 billion in the six years to 2015-16, which is £6 billion out of the pockets of some of our most vulnerable people.

On top of that, our analysis indicates that the cuts have a disproportionate impact on groups including disabled people and lone parents. More than £1 billion of the cuts will relate directly to children. If the cuts were not enough, the UK Government has also seen fit to introduce an oppressive sanctions regime that is clearly not fit for purpose, as Michael McMahon illustrated very well.

Last year in Scotland more than 54,000 individuals on jobseekers allowance were sanctioned, with some receiving multiple sanctions. In the year to June 2014, almost 2,000 people on employment support allowance—people who are ill or disabled—were also sanctioned. Our analysis has also shown that those who receive a sanction suffer on average a loss of income for

four weeks amounting to about £270. That is a huge amount of money for people who are already battling to survive on low incomes.

In all too many cases, the first time that a person is aware that they have been sanctioned is when they go to the bank and find that they have no money. They sometimes do not know why. That is totally unacceptable.

Those cuts and punitive policies do absolutely nothing to tackle poverty and inequality. Instead, as the committee's report highlights, sanctions are leading to huge rises in the number of people using food banks. More than 51,000 people visited Trussell Trust food banks between April and September this year and, worryingly, more than 15,000 of them were children. It is a disgrace that so many people in Scotland are unable to put food on the table.

That is why the Scottish Government set up the emergency food fund. The fund is providing more than £500,000 over two years to projects throughout the country that not only provide emergency food but help people to support each other in their communities. In that way, the projects build capacity to tackle the causes of food poverty and to develop solutions.

That is only part of the Scottish Government response to the UK Government's welfare reform agenda. We are working closely with our partners to do all that we can within the powers and resources that we have to help people who are affected by the changes that have been imposed by Westminster. In our draft budget for 2015-16, we focus on three key objectives: to make Scotland a more prosperous country, to tackle inequalities, and to protect and reform public services.

To help us to tackle the poverty and inequality that blight our society, we will maintain our spending on mitigating welfare reform at about £296 million over a three-year period in order to ease the worst impacts of the reforms. We will also continue our efforts to stop in-work poverty, which include our commitment to the living wage. In addition, we will appoint an independent adviser on poverty and inequality who will engage with the people of Scotland to make recommendations to the Government on how we should collectively respond to the challenges and who will hold us to account on our performance.

We will also continue to lobby the UK Government for fairer welfare reform and take action to ensure that safeguards are in place for those who need them most. That will include acknowledging the link between welfare reform and the increased use of food banks, and quickly implementing the recommendations of the Oakley review on sanctions.

Because of issues such as those that we are discussing, the Scottish Government wanted full control over our social security system so that our ambition to move beyond mitigation could create a system that was much more suited to Scottish needs. The Smith commission has now made its recommendations. We are, of course, disappointed that it did not go as far as we or the majority of civic Scotland wanted. Organisations including the Scottish Trades Union Congress, the Scottish Council for Voluntary Organisations, One Parent Families Scotland, Unison, the Institute of Economic Affairs, Children in Scotland and Engender have outlined exactly why the measures fall short of what is needed to tackle the big issues that are facing our country.

The Smith recommendations do not do enough to give us policy coherence in employment, the minimum wage and welfare so that we can tackle the long-term issues facing our country, and they deny us control over damaging policies such as sanctions. However, as the First Minister has made clear, we welcome all additional powers, and Parliament should be assured that we will do all that we can with those new powers to ensure that they benefit the people of Scotland.

Following the debate on the impact of the UK Government's welfare reforms on disabled people, I wrote to the Minister of State for Disabled People asking for the roll-out of the personal independence payment—PIP—to be halted in Scotland. Now that the Smith commission has proposed that powers on disability come to the Scottish Parliament, it is all the more pressing that roll-out be stopped.

The Scottish Government is also clear that nobody should be adversely affected by the changes that the Smith commission proposes. Disability benefits should be devolved to the Parliament before the proposed £310 million budget cut comes into operation from the transfer of the disability living allowance to PIP. That should be a matter of good faith for the UK Government. Equally, those who receive benefits should not be penalised as a result of any changes that are introduced by the Scottish Government; rather, the financial rewards of any such measures should go to the individuals or families concerned.

Paragraph 55 of the Smith commission report is critical in that regard. It outlines that any new benefits or discretionary payments that are introduced by the Scottish Parliament must provide additional income for a person or family and must not result in an automatic offsetting reduction in their entitlement to other benefits. As members are aware, responsibility for universal credit has not been devolved, and we want to make it clear that any benefits that are created by

this Parliament should not be deducted from anyone's means-tested universal credit. All of us should unite behind that objective. The Scottish Government expects that recommendation of the Smith commission to be honoured in full.

I welcome the Welfare Reform Committee's report, which has helped to inform the direction that we will take and to highlight the issues. Michael McMahon mentioned Denis Curran's appearance at the committee and the number of hits the footage on YouTube of that has had. There is a real concern in Scotland about food banks, the people who use them and the benefit sanctions regime, and I think that the committee has done a lot to bring that into the public eye. I welcome that, so I am pleased to support the motion and the work of the committee in taking action on these issues.

15:06

Ken Macintosh (Eastwood) (Lab): I offer my thanks to the Welfare Reform Committee, to members past and present and, in particular, to the committee clerks, who have been very helpful and supportive.

I am not entirely sure what will happen in the new year, but this may prove to be my last speech as a member of the committee, and I just want to say how grateful I am to all my colleagues and how much I have appreciated working with them on such an important subject. I had been going to give special thanks to the convener, but our partnership on the issue will continue on Labour's front bench.

To continue the theme of collaborative working, it is fair to say that Labour and SNP members are united and frustrated in equal measure. I recognise that SNP members want to prevent the damage that the Tory reforms are wreaking on some of our most vulnerable citizens and that they believe that it is only by removing the relevant powers from Westminster that we can protect Scottish communities. Labour members are equally frustrated in that we, too, want to get rid of the Tories, but we believe that the election is the best place to do that and that in the meantime we should focus on using the powers that we have rather than excusing ourselves by pointing at those that we do not.

I recognise that those arguments will persist and that those frustrations will continue, but my hope is that we can now put the emphasis on what we have in common rather than on where we differ. The Welfare Reform Committee exists because a range of powers over welfare have already been devolved, and more are to follow—now that the vow has been delivered through the Smith agreement, we will potentially have the power to

create new benefits. I believe that we can work together and that the people of Scotland expect us to do so.

There is no doubting the urgent need that exists. None of us can have been left unmoved by the witnesses who came before the committee or by the evidence that we heard from them. Just this morning, my colleague Jackie Baillie and I met the homeless charity the Pavement to discuss its work on the street project. One member of the group, Caroline, told us how illness had led to her being sanctioned and having her benefits stopped for 15 months, which left her on the brink of homelessness.

The British Medical Association and the Scottish Association for Mental Health have both reported that living in fear and stress is having a devastating effect on the mental health of those who rely on benefits, and the UK Government's own review noted that people with mental health conditions or learning difficulties make up 40 per cent of the individuals who go through a work capability assessment.

On a different note, I still recall the young single mother whom Jamie Hepburn and I met at the citizens advice bureau in Parkhead, who had to explain why going into labour was probably a justifiable reason for missing an appointment without being sanctioned. The range of experiences varies from the deadly serious to the almost laughable, but what emerges from nearly all the witnesses who have testified is a sense of having to justify themselves and a double feeling of victimisation.

For those people, there is anxiety about their very real needs and how they will feed and look after themselves; in most cases, there is also anxiety about how they will feed and look after those who depend on them, such as their children. Alongside that, there is a different anxiety—a feeling of being judged, threatened or even punished because of the unfortunate circumstances in which some welfare recipients find themselves. There is a feeling of being punished twice over, not through exercising any choice of their own but for finding themselves in difficulty and then being blamed for it.

Our committee reports have pointed the finger directly at the Tory Government and concluded that benefit sanctions were one of the key factors that led to the huge increase in the need for food banks. They have demanded a sea change in sanctions policy. However, alongside that, we need to ask what more we can do here. What can the Scottish Parliament do?

I was very encouraged by some of the work of the Scottish Government's expert working group on welfare in the run-up to the referendum. I

recognise that ministers and all of us across the Parliament want a system that is based on the dignity and respect of individuals. However, earlier this week, Willie Rennie, among others, reminded us of the inherent complexity of the welfare system and of how difficult it can be to translate good intentions into actions.

Our welfare system is bitty, piecemeal and messy, just as our lives are. We go in and out of work at different stages in our lives and have times of dependency and self-sufficiency.

I will give one example of how difficult it is to practise what we preach. The debate on Tuesday on the Scottish Government's Welfare Funds (Scotland) Bill, which is a very straightforward bill to replace the social fund, revealed that 80 per cent of crisis grants that have been given out under the interim scheme have been awarded in kind rather than in cash. In other words, we are making judgments almost immediately. We are no longer leaving decisions to the choice of the individual; we are denuding people of individual choice rather than building people's resilience.

None of us in the chamber gets paid in furniture. Most Scots do not expect to pay their bills with vouchers or get told which shops to go to and which choices they have to make. We do not need to justify or explain our everyday actions, so why should we expect that of those on welfare?

On a broader point, our debate should be not just about benefits. We need to change the way in which we approach the growing numbers of those who are in work but are still in poverty—those who are simply not paid enough. One reason why costs are rising is that housing benefit is being paid to those in employment. Many new challenges face us, but many families are working harder than ever and finding themselves deeper in debt.

It is not just a matter of poverty; it is about rising inequality. The answer does not necessarily or solely lie in welfare reform; it lies in how we tackle wages and wealth at the top alongside how we reward those at the bottom. It is about what we are doing about the living wage, about wage differentials and about tax.

So far, the Scottish Government's response to the welfare reforms and its exercise of the powers at its disposal have been quite conservative. It has replaced the social fund and council tax benefit, and it has effectively overruled the bedroom tax. I am not criticising the Government for any of those measures, as Labour has supported them—in fact, it called for them—but there has been no attempt so far to reform welfare or to take a different approach in Scotland.

I believe that there is agreement in Parliament that we do not want to keep people on benefits. We are not trying to create a welfare society; we

are trying to create a system that supports each of us in our time of need in a non-judgmental way.

With more powers coming that will allow us to create entirely new benefits, we need to work together to use those powers to build a fairer society. I hope that we can do so.

15:13

Annabel Goldie (West Scotland) (Con): I am pleased to take part in this debate.

As I am a very recent arrival in the Welfare Reform Committee, my colleague Mr Johnstone will cover the reports to which he contributed as a committee member. I look forward to being on the committee and working with Mr McMahon. He may not know what to expect from me, but he might find himself pleasantly surprised. I hope that I can make a positive contribution to the committee's work.

The committee has done and is doing very important work and is identifying important issues. One of the great roles of the committees of the Parliament is to consider, when work has been done and evidence has been produced, what can be done to use that leverage or discoveries to influence change. That is where the committee may have a very important role to play.

I want to focus on the Smith commission report, which I am a little more familiar with than I am with the work of the Welfare Reform Committee. As Mr McMahon said, that report implies substantial changes. It is three weeks to the day since it was published. In tune with the new theme of consensus in the Parliament, I have enjoyed the positive response to it, which has been obvious from all the five political parties that are represented in the chamber. I accept that the minister's party considers that it does not go far enough, although at the same time her colleague Nicola Sturgeon has gone out of her way to say that she thinks that what has been delivered by Smith is positive.

I remember that, when I first came to the Parliament, there was a huge sense of excitement and optimism about how the Parliament would operate and would use its new powers. I detect in the Holyrood air that those same feelings are brewing now—there is a mixture of excitement, anticipation and ambition. The question that we are all asking ourselves and one another is: what can we do with the new powers to improve life in Scotland?

As we talk about the Welfare Reform Committee's latest reports, it is timely to look at the Smith proposals and ask what the committee and the Parliament can look forward to achieving with the new powers. As we know, an element of

devolution on welfare has already occurred, arising out of the Welfare Reform Act 2012. On Tuesday, the Parliament debated stage 1 of the Welfare Funds (Scotland) Bill, a debate to which my colleague Mr Johnstone contributed. It is good that the Parliament is taking the opportunity to put an interim arrangement on to a statutory footing.

I know that not everyone will agree with me—that is pretty clear from the speeches that we have heard already—but the aim of the Welfare Reform Act 2012 was to reform the benefits system and introduce a new system that is fairer, simpler and more affordable. Although I accept that not every aspect of the reforms has been well received—that is pretty clear—I have to make the important point that it would be hard to find opposition anywhere to the principle that the system needed reform. Most acknowledge that reform was necessary and overdue.

I fully acknowledge that the issues then become ones of the implementation and management of change. That is where the committee is doing important work. The whole point of the reform is to help people to get back into work, to reduce dependency on the state and, in tandem with increased personal allowances and changes to the tax system, to enable people to make individual choices about what they do with their money, rather than simply having to hand it to the taxman to be given it back in the form of prescribed benefits.

I know that the Scottish Parliament does not always see eye to eye with Westminster but, beyond the rhetoric, there is an important point. The political landscape is different here and, more importantly, our electors in Scotland have a different set of needs. I recognise that they have different preferences from those of other members of the family of nations that is the United Kingdom. Therefore, the time between now and the delivery of the Parliament's new powers is when the hard work should start. We should debate how we can design a welfare system for Scotland within the United Kingdom, bearing in mind that, back in September, we voted to keep Scotland in the United Kingdom.

My party will contribute to that debate. I want a system that is compassionate and flexible and one that is effective in helping people into work. I want a system that measures itself not by the size of the welfare bill but by how many people are helped back to work and can then support themselves and contribute to the broader economy.

I am excited about how the Parliament will manage its new competencies. There are proposals in the Smith agreement on disability living allowance, the personal independence payment and the regulated social fund as well as on the ability to top up existing benefits and create

new ones. Those are real, exciting and important choices.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Am I correct in my reading of paragraphs 55 and 56 of the Smith commission report that any top-up benefits that the Scottish Parliament decides to implement will not be offset and that we will not have a repetition of the issues with attendance allowance and free personal care?

Annabel Goldie: My understanding is that the spirit behind the Smith commission, with which the five parties were in agreement, is that “top-up” means what it says. We cannot top up something that is not there already. The understanding is that top-up will be an additional and supplementary support.

In addition, when the current work programme and work choice contracts expire, we will have a significant capacity to help the most vulnerable not only to find work and share in the wealth of a growing economy but to contribute to that economy.

I think that the Smith commission has done a good job in trying to balance responsibility and obligation. It means that we are protected against economic shocks, which are one of the difficulties of being overly responsible for expenditure in one part of the UK. The recent fall in oil prices has shown that an economic shock in one corner of the UK will not imperil a large proportion of a nation’s tax base or welfare spending.

For a long time, many members of this Parliament have been calling for more devolution of welfare to Holyrood. Now that the Smith agreement is out, it is clear that it reflects those calls. I want to move this debate on. Let us now talk about what we are going to achieve with the new powers rather than lament the ones that we do not have. We can innovate, we can create effective new policies, we can get away from stale, left-wing dogma and we can improve the welfare system in Scotland instead of blaming the existing one. I want to think that, in this respect, the blame game is in the past.

The Deputy Presiding Officer (Elaine Smith): We now come to the open debate. Speeches should be a maximum of six minutes, please.

15:20

Kevin Stewart (Aberdeen Central) (SNP): I am grateful for the opportunity to talk about welfare for the second time this week. I might repeat some of the things that the committee’s convener has just said and some of the things that I said on Tuesday, but I think that that repetition will be worth while.

On sanctions, the committee noted a few major problems, such as: a consistent failure to notify people that they are being sanctioned; a lack of flexibility; a prevalence of the misapplication of sanctions, which reduce the likelihood of people finding work; and a failure to appreciate that many people on benefits do not have the necessary information technology skills on day 1 to use the DWP’s universal jobmatch facility or other IT systems.

According to Inclusion Scotland, 132,074 sanctions were applied in Scotland, with more than 33,463 of them being applied between January and March this year. Inclusion Scotland suggests that nearly 30,000 JSA sanctions will have been applied against disabled people in Scotland. That is a huge amount of people who will have been affected by the sanctions regime.

On 9 December, during one of its your say sessions, the committee heard from two witnesses about their experiences of the welfare system. One of the gentlemen who was there, John Lindsay, has never actually been sanctioned but has a great fear of being sanctioned. At one point, he moved to Aberdeen to seek work because he was so scared of being sanctioned. He said:

“It kind of finished me off. After that, I was really down, depressed and anxious. It was the final straw. Within a week or two, I got a sick note from the doctor and went on to employment and support allowance. What happened really pushed me over the edge. I had to go up to Aberdeen, away from my family. When I was told at the interview that I had the job, I was told also what it would be like and that the accommodation would be great and so on, but it was an absolute disgrace. When I went there and saw that, and when I heard the stories from other people, I could not have stayed in the house any longer. I had to get away the next day and go home—it really pushed me over the edge. After that, I was just so anxious all the time about getting sanctioned.”

Mr Lindsay has suffered from mental health problems from a young age. During the course of his evidence, he went on to say:

“It builds up. If a person has depression, anxiety or whatever, and somebody talks to them as if they are a piece of dirt, they will take it personally, think about it and obsess about it, and before they know it, within a day or two they are a complete nutjob. They just do not function right. They end up obsessing about the matter and then get really ill. That is what I am like, anyway.”

He has a real fear of sanctions, even though he has never been sanctioned.

The other witness that day was Mr James Nisbet. He said:

“When I first came off ESA and was having a problem getting back on JSA, I went in on the first day with my wife, because I did not feel comfortable going back in to sign on, and the assessor saw the two of us together. I had not been sat down for 10 minutes when she was setting me sanctions. I said, ‘What are you going to sanction me for?’ She said, ‘You’re not doing enough job searches.’ I said,

'I've only just started. I cannae work a computer,' and that is why I ended up having to go on a computer course for nine months. I do not know what has happened now—perhaps Westminster has taken the pressure off—but Atos were like the Gestapo. I do not know whether I should say that.”—[*Official Report, Welfare Reform Committee*, 9 December 2014; c 12, 22, 19.]

These are real people and that is how they have been affected by the current regime. That is why it is so upsetting that real people are not being listened to by the DWP ministers and that DWP ministers will not appear in front of our committee to hear about real people.

We have already heard from the convener about the attitude of Neil Couling of the DWP. After he said that the increase in the number of food banks is down to the increase in supply rather than an increase in demand due to the increase in sanctions, I said that he was talking claptrap and living in cloud cuckoo land. Many of my constituents have said much worse.

I wish that Neil Couling and others would go and talk to Barry at the Trussell Trust in Aberdeen, or Christine at Community Food Initiatives North East, or Sophie, an instant neighbour who, along with volunteers, is running these food banks. Then they would get a true idea of what is actually going on out there.

The Scottish Government's expert group on welfare produced the report “Rethinking Welfare: Fair, Personal & Simple”, which is a very good document. What we have from the Westminster Government is unfair, impersonal and simplistic, and I hope that we can change that.

15:27

Cara Hilton (Dunfermline) (Lab): I welcome the Welfare Reform Committee's “Interim Report on the New Benefit Sanctions Regime: Tough Love or Tough Luck?” and I agree with its findings that the sanctions regime, pioneered by the Government of David Cameron and Nick Clegg, is unfair, unjust and unacceptable.

The regime is one that penalises the poorest and is having a devastating effect on many people in communities across Scotland. I apologise in advance to Alex Johnstone for my left-wing dogma, but I believe that the regime is part of an austerity agenda that has seen benefits and tax credits changed and cut, hitting the sick, the vulnerable and the poorest families hard while at the same time cutting taxes for the richest millionaires. We have seen a blind eye being turned to the tax evasion of individuals and multinational companies and to bankers' bonuses.

We have already seen £18 billion being cut from out-of-work benefits and tax credits, driving people into debt, poverty and destitution and forcing

thousands to resort to food banks to feed their families, to payday lenders and loan sharks to make their money last out the month, and to other desperate measures just to get by. People have put at risk their tenancies, homes and debt repayments, which has impacted on the health and wellbeing of individuals and their families for now and for the future.

The reforms have hit the youngest hardest, with 39 per cent of sanctions being applied to young people aged 18 to 24. The Citizens Advice Scotland briefing for today's debate highlights the harsh impact of the sanctions regime and the direct link between sanctions and the use of food banks. Across Scotland, at least 71,000 people relied on a Trussell Trust food bank to eat last year and in my constituency of Dunfermline, 1,300 food bank vouchers have been issued since April. That is a staggering 400 per cent increase—five times as many as last year—and the figure is growing day by day and week by week.

Home-Start estimates that around 30,000 children in Scotland live in families who cannot afford to eat properly and that one in four adults has skimped on food in the past year so that others in their household can eat.

The committee's report highlights cases of people living in Scotland who have had to walk many miles to get to the nearest food bank. Until recently, in west Fife, many clients of Dunfermline Foodbank were walking not just 2 or 3 miles but more than 12 miles to get their food parcel. To solve that problem, satellite centres have now opened in Rosyth, Inverkeithing and Bennarty.

The food bank certainly has not been short of volunteers or donations, but that is just as well because client numbers are predicted to double over the next year. Dunfermline Foodbank now has more than 180 volunteers across its four centres and warehouse and the commitment of those volunteers is outstanding. Their hard work and dedication is to be commended by us all. I understand that, over the past week, donations from the public have gone through the roof, showing the strength of community spirit but also the genuine anger that people in 21st century Scotland are going hungry.

John Drylie, who runs Dunfermline Foodbank, is doing an absolutely brilliant job. When I told him that I would be speaking in this debate, he told me that, as well as his usual Christmas wish that no one should go hungry in west Fife, or in Scotland, he would like everyone who uses food banks to be given free transport to get there and back. I hope that the Scottish Government will look into that.

The reason that a staggering 53 per cent of people at Dunfermline Foodbank have claimed food parcels in the past nine months is benefit

delays or sanctions. Those people have nowhere else to turn, but the food bank can help for only a few days and on a few occasions. What happens when someone has been sanctioned for months or even, as Michael McMahon said, for three years? How are they supposed to put food on the table, never mind get money to pay for their bus fare to seek work, heat their home, keep a roof over their head, put shoes and a warm jacket on their children or put presents under the Christmas tree?

Although to most of us the link between sanctions, welfare reform and food bank use is glaringly obvious, it sums up how out of touch the coalition Government is that Tory ministers continue to believe that there is no link between welfare reform, sanctions and the use of food banks. They clearly live on a different planet from the rest of us.

It is simply unacceptable that in a country as wealthy as Scotland any individual or family has to turn to a food bank. Although we all applaud the dedication of the volunteers who run the food banks and provide that emergency lifeline, our goal must be the elimination of food banks, as the committee concluded. Our goal must be a Scotland where no family is forced to turn to a food bank to put tea on the table, where no one is forced to go hungry and where welfare is distributed fairly; we must have a welfare system that ensures that every Scot has a decent standard of living and supports people to escape from the poverty and destitution in which the current welfare agenda is placing them.

Labour created the welfare state, which is one of the real benefits of the union and which pools and shares resources and risks across the UK. The majority of Scots voted to stay part of the UK, but on the doorsteps there was certainly an appetite for change. Voters told us that they wanted more control up here in Scotland.

I am confident that the Smith commission report, which all the Scottish political parties signed up to, will deliver that change. Although it clearly does not go as far as some of us would like—Scottish Labour had hoped that it would go further, too, in respect of housing benefit—it offers many opportunities. It allows Scotland the possibility of shaping much of our own welfare system while recognising that some things are best delivered at UK level, giving Scotland the power to create new benefits, top up existing benefits and mitigate the unfair effects of welfare reforms.

The Smith commission report offers real powers that will make a real difference to individuals and families across Scotland: the power to top up child benefit; the power to reform and improve carers allowance; the power to redesign totally the work programme; and the power to create a new Scottish welfare system suited to our needs here

in Scotland, which treats every Scot with respect and dignity.

Linda Fabiani (East Kilbride) (SNP): Will the member take an intervention?

Cara Hilton: I do not have time.

Ultimately this debate is not and should not be about powers. This is about political will. It is our actions, not our constitution, that can and should protect our citizens from poverty. It is our actions that can and will end child poverty; ensure that our pensioners can stay warm this winter; and make work fairer and extend the living wage to make work pay for more workers.

I look forward to the Scottish Government using the powers that it has and the powers that are on the way to transform people's lives, tackle inequality and make Scotland fairer and more inclusive. Let us all work together to end the scandal of food banks and ensure that Scotland is genuinely the best place to grow up in for every single child and that no family in Scotland goes hungry.

15:33

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): The people of Scotland, especially the poorest and most vulnerable, are being battered and assaulted by benefit cuts and confronted by the bedroom tax and they are trying to battle the frequently bizarre decisions made at Atos assessments. In one of the wealthiest countries in the world, 22,000 children used food banks last year.

That is what Iain Duncan Smith refers to as welfare reform. His concept has more in common with the old reform schools than it has with welfare. In fact, the entire coalition view of welfare and benefits bears a terrifyingly close resemblance to the Victorian approach to welfare as punishment, in effect—if people are so careless and so self-indulgent that they become a charge on the state, they ought to expect to live in misery as a result.

So far, Iain Duncan Smith has managed to create a complete fiasco of the universal credit and PIP programmes. Even the Public Accounts Committee has recognised that.

Although we of course welcome any extension of devolved powers to Scotland, the Smith package—which has definitely not been delivered yet—falls very far short of this Government's ambition for all the people of Scotland. I will not itemise the carefully wrapped package contents. I want only to remind everyone of the fundamental principle behind the Smith report: the rules ensure that neither the Scottish Government nor the UK Government will lose or gain financially from the

act of transfer of power, so 85 per cent of powers over welfare remain reserved to Westminster. In other words, in real terms—no change. It is Westminster rule, not home rule. Without meaningful control over our national budget—by that, I mean that the elected Government enjoys the genuine freedom to raise and spend its own money for the betterment of all—we continue to be constrained by the choices of Westminster, however inappropriate those choices are for Scotland.

On welfare, we could get control of over £2.5 billion out of a total of £17.5 billion of spending. For me, that is just tinkering at the edges. It is not enough to allow us to change a broken system and turn it into an effective one that meets the needs of the Scottish people, rewarding those who achieve but never punishing those whose circumstances limit their options.

Why has “welfare” turned into a bad word—a criticism, an accusation? Welfare is wellbeing. Welfare is someone living their life in as full a way as is possible for them. If they are severely autistic, if they suffer from bipolar disorder, if they are wheelchair bound and/or suffering from a long-term, perhaps life-limiting or even terminal condition, they have the absolute right to enjoy life to the full

I thought that the notion of the deserving poor had died with Dickens, but obviously not. As a result of reforms announced during 2010 to 2015—let us not forget where the Welfare Reform Act 2012 came from—households with both disabled children and adults are facing the highest total reduction in income. In terms of the percentage of annual income, their loss is around three times the average reduction in income that is faced by non-disabled households.

As a new member of the Welfare Reform Committee, I have been both moved and shocked by the evidence that we have received. We have listened to the accounts of people who have been subjected to sometimes brutal and even offensive questioning, without any supportive expert available—my colleague Kevin Stewart gave the perfect example of that with the testimonies of the people we heard from last week. Such questioning has left people confused and unclear about how to go forward. That is not just a daily but an hourly issue in my constituency.

Engender has explained in a briefing that

“since 2010, 85 per cent of cuts to benefits, tax credits, pay and pensions have been taken from women’s incomes. Together with recent announcements in the Autumn Statement, this amounts to £22 billion from a total of £26 billion.”

That means that £22 billion of those cuts have been shouldered by women. Existing inequalities

mean that women have fewer financial assets and less access to occupational pensions. They are still paid less than men—13 per cent less in Scotland for full-time workers and 34 per cent less for part-timers, who are largely women.

Then there is all the unpaid caring work of bringing up children and looking after other relatives, and what we can call the motherhood penalty. As Engender has pointed out, these reforms are a move backwards towards greater misogyny and apparently the desire to remove benefits from disabled people and their families. By now, no one should be surprised to learn that the greatest losers are women with a disability.

Citizens Advice Scotland is all too aware of the problems that the current system continues to spawn. People are literally starving as a result of sanctions and the sudden withdrawal of benefits. As they face Christmas, it is likely to be with the help of a food bank and the notion of armfuls of presents will not figure. Locally, from some of the monitoring that I have done, it seems to be young men who present themselves more often—young men with few family ties; young men with additional problems; the same young men who, percentage-wise, are the ones who commit suicide.

On “Sunday Politics”, Iain Duncan Smith told us that food banks were just fine—Germany has lots of them. He said that it was nonsense that the current welfare system was pushing people towards food banks. Well, I have some news for Mr Duncan Smith—the people in my constituency are going to food banks because they have no alternative. They need to feed themselves and their children and, without welfare support, they cannot do it. I hope that he is proud of that achievement.

So, where to from here? We need to ensure that Scotland has a real—and a loud—voice in Westminster in next year’s elections. We need the voices of those who are genuinely committed to a fairer society to overwhelm those who are committed only to their own self-interest.

We will fight ridiculous measures such as the bedroom tax so that Scotland can move forward and make its own decisions. Our control now is limited. In an independent Scotland, we will have the freedom to make the choices that we cannot make now.

If there were but one refrain that united the Scottish Parliament, I would hope that it would be this: let us do our absolute best for all of the sovereign people of this land and let us deliver to them a fair and equitable society that does not identify people as rejects or the undeserving poor.

15:40

Siobhan McMahon (Central Scotland) (Lab): I am pleased to take part in the debate. I, too, thank the Welfare Reform Committee, not only for publishing the reports and securing a debate on the matter but for its commitment to welfare as an issue for the past two years. The work that the committee has done and the dedication that its members, and its convener, Michael McMahon, have shown to their subject matter is a fantastic example to other committees in the Parliament of what can be achieved.

The report talks about the marked increase in the use of food banks in our country. In order to get a true sense of what we are discussing, I thought it important to look at the history of the establishment of food banks across the world. It was in America in 1967 that John van Hengel, a volunteer with the St Vincent de Paul Society, first established the concept. Mr van Hengel saw a widow and her 10 children looking through rubbish behind grocery stores for food. He helped her to find edible food and asked the store owners to give him the products that they would have thrown out so that he could distribute them to the needy.

In 1984, the first food bank was established in Europe. That was followed by the establishment of the European Federation of Food Banks in 1986. The UK and other wealthy nations did not set up food banks until later. Since 2004, Germany, Hungary, the Czech Republic, Slovakia, the United Kingdom, Lithuania and Serbia have joined the network, followed in 2010 and 2011 by the Netherlands, Switzerland, Estonia and Denmark, and in 2013 by Bulgaria and Ukraine.

The issue is not that food banks exist—as I have demonstrated, they have existed throughout the world for some time—but that there is a growing reliance on them in society. In 2004, the Trussell Trust, a Christian-based charity, had just two food banks; now, it has 423. That shows just how reliant many in society have become on that type of provision. In a few short years, people of my age and younger have not only become aware of food banks but come to see them as an integral part of their communities. That is the most disappointing thing for me.

Pupils from St Andrew's high school in Coatbridge—in your constituency, Presiding Officer—visited the Parliament today and told me that, only last week, they raised around £1,000 for their local food bank. The young people should be congratulated on raising such a fantastic amount of money. However, the fact that they had to do that so that someone—maybe a classmate—would get a meal this Christmas should not only embarrass those of us in the chamber today but embarrass and shame the coalition Government even more.

The findings of the Welfare Reform Committee make for uncomfortable reading and could not be clearer: the measures that the UK Government introduced are creating reliance on food banks—it is as simple as that. With £14.9 billion-worth of cuts having been made to benefits, tax credits, pay and pensions since 2010, what other outcome could there be? Not only have people had a cut to their benefit or had their benefit stopped altogether but, on top of that, many have faced intolerable sanctions.

The UK Government may say that sanctions have been designed to promote the correct and proper use of the welfare system and enable effective and efficient use of resources that support people on the path back to work and, ultimately, out of poverty. However, we have found, and the report demonstrates, that sanctions are being used to punish people. Sanctions have left some of those most in need without money for up to three years. That point was made repeatedly in several briefings—in particular, Inclusion Scotland's briefing—that we received for today's debate.

From those briefings, we learn that, since October 2013, claimants wishing to challenge a decision by the DWP to refuse an award of benefit or impose a sanction must request a "mandatory reconsideration" before they can appeal to the tribunal. Nearly 25 per cent of JSA sanctions have been subject to mandatory reconsideration, and in more than half those cases, the sanction has been overturned. For ESA claimants, nearly half the decisions to impose a sanction have gone to mandatory reconsideration, with nearly half being successfully overturned.

Although the DWP has still not published any statistics on mandatory reconsideration, which was introduced in October 2013, the measure appears to have caused an almost total collapse in appeals to tribunals. Only 23 JSA or ESA sanctions went to tribunals for an appeal decision between April and June 2014, compared with the usual figure of at least 1,000 per month. 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 leads to the sanction. That is the impact that the so-called welfare reforms have brought to many people's doors across Scotland and the UK. It is no wonder that more and more people are finding it harder to feed themselves or their families.

People must be supported by the state in their hour of need. I therefore welcome the Smith commission's agreement on welfare powers and on giving this Parliament the ability to create new and additional benefits as well as top up existing

benefits. I believe that that will give us an opportunity to address some of the many issues that affect our constituents, particularly women. As Engender points out in its briefing for today's debate:

"The UK's social security system is a facet of gender inequality as demonstrated by the highly gendered impact of 'welfare reform', which is seeing women and their children at increased risk of poverty, abuse, violence and physical and mental health issues."

The briefing goes on to say:

"The Scottish Government and Scottish Parliament must therefore use the opportunity of new powers over social security to ensure that these patterns are redressed where possible."

I could not agree more, and I hope that the Government will use every power coming its way to help rebuild the people's trust in the welfare system, because that trust has been lost.

15:46

Linda Fabiani (East Kilbride) (SNP): I speak today as a former member of the Welfare Reform Committee. I welcome Michael McMahon's opening speech. Its content was certainly in the spirit of what I felt was the opinion generally of the Welfare Reform Committee when I was a member.

I am pleased to speak in the debate because I was involved in work that was done for the two committee reports—on food banks and on the sanctions regime—that the motion refers to. I will say a few words about both.

I think that the committee felt that the sanctions regime, as it is operated, is overly punitive and has many errors. It is interesting to note that, in its briefing for the debate, Citizens Advice Scotland says that, in the year to June 2014, there were more than 200 JSA sanctions per day, which is a lot. However, what really got to me was the point that

"Since the start of the ... sanctions regime in October 2012, over 3,800 sanctions were 'high level' sanctions meaning a sanction of at least 13 weeks."

Thirteen weeks is a heck of a lot of time for somebody to have their money stopped, especially if it is stopped in error, if they have not received notice of the sanction, if the sanction is imposed when they have good reason for not meeting the requirements or if they are unaware of their right to challenge decisions, which Citizens Advice Scotland has found to be fairly common.

With such a punitive welfare regime, it is no wonder that there has been such growth in food banks. I saw all the arguments that came from David Mundell, Iain Duncan Smith and all the rest about people taking advantage of food banks—basically, if something is provided, people will turn up for it. I am sorry, but I would rather listen to

Denis Curran, who Michael McMahon talked about.

Denis has been operating food bank food distribution and has worked with the homeless for 20-plus years in East Kilbride. He knows a lot more about the issues than Iain Duncan Smith does. Denis will tell us that charitable organisations that help people out now and then or in the longer term will always be needed, but that what he has seen over the past few years is unprecedented—and, in my opinion, immoral and non-ethical.

I feel bad about the fact that Denis Curran keeps saying to me—he will probably say it again tomorrow—"There you all were talking again. What you gonna do about it?" The feeling of helplessness is ridiculous—there are people who have been working on the issues for so long and just want to do something.

Siobhan McMahon is quite right to say that we are starting to mainstream food distribution as part of our welfare system. That is absolutely appalling, but we see all sorts of examples of it. I was horrified to see that the Co-op, of all places, is marketing its own-brand products as "ideal for food banks". What on earth are we doing when such things are happening in our society?

It is easy to talk about the figures, but I believe that every member of this Parliament must have examples of constituents who have been hit. I am certainly not going to name anyone, but one chap who had been sanctioned and had not had any money for weeks phoned our office, crying. He had worked for most of his life but had lost his job and ended up being sanctioned—by mistake, I may add; we won that case—and he was crying because he was hungry and because he could not bring himself to turn up at the food bank. It was only because we organised something with Denis Curran that that chap ended up getting something to eat over the weekend. I am just disgusted that I am living in a society where that kind of thing becomes the norm.

I guess I could say that I was privileged to be part of the Smith commission's work, which we went into wanting a cohesive set of powers that would allow us to stop these things happening. I am not convinced that we have got that, and neither is much of civic Scotland.

Ken Macintosh: Will the member take an intervention?

Linda Fabiani: No, thank you.

I suspect that members of the Welfare Reform Committee are a bit sceptical about that, too. That is not to do down what we hope will come out of the Smith commission, but I do not think that we should get too carried away, thinking that it is a big

answer to the big problems that we have while Governments at Westminster apply welfare reforms that are alien to what many of us believe in.

The Smith commission's recommendations have still to go to the Westminster Parliament. There are those who believe that they will be enacted regardless of the result of the next UK election, but some issues are yet to be ironed out. There are technical ones such as the formula for block grant adjustments, but there are also issues to do with effects and overall income adjustment where top-ups or new benefits apply. I was delighted when Richard Simpson intervened on Annabel Goldie to put across our understanding of the issues, but some people are already saying that that is not their understanding. I am worried that, in their passage through Westminster, things will change because we do not have the earnings taper control.

There is so much more that I could say, but I will end by saying to everyone in the chamber what Denis Curran says: "When are you going to do something about it?" If we can do nothing else, we can shout about it to our respective people at Westminster. Across the Parliament, we can jointly call for the early transfer of things such as DLA so that we can stop the PIP roll-out. If we really want Scotland to be a fairer society, that is what we have to do. Let us start here.

I do not believe that, as the new leader of Labour says, we can be the fairest country on earth if we do not have control over the things that would allow us to become that, but surely we can make small differences as a way of moving forward.

15:53

Anne McTaggart (Glasgow) (Lab): I am pleased to have another opportunity this week to contribute to the debate on welfare reform and the Smith commission. I welcome the findings in the Welfare Reform Committee's interim report and thank it for all the hard work that it has done to date.

As I am sure members throughout the chamber will agree, welfare and its challenges are among the most common subjects of the conversations that we have with our constituents. The welfare state was founded as a safety net for the most vulnerable in our society, and it is a great shame that in 2014—it is nearly 2015—we are still having discussions about hungry children and their families having to turn to food banks to survive. Sadly, it seems that the problem is not going to disappear soon.

I welcome the welfare proposals that have been put forward by the Smith commission, which will

allow the Scottish Parliament to provide greater support to our nation's most vulnerable people.

I welcome in principle the efforts that the Scottish Government's Welfare Funds (Scotland) Bill seeks to make to alleviate these problems, although in my speech to Parliament earlier this week I raised concerns about certain aspects of it. I also welcome my party's commitment to ensuring that welfare and work programmes are devolved not just to Holyrood but to the towns and cities of Scotland. It is apparent to me that local authorities, charities and third sector groups, which are embedded in their communities, can make better decisions about getting people back into work and breaking the dependency cycle than someone sitting either here in Edinburgh or in Westminster.

One of the most common issues raised by my constituents is benefit sanctions. Indeed, just this week, a constituent told me that she had had no idea that her benefits had been sanctioned until she discovered that her payment had not been made to her bank account, and she expressed frustration that no one seemed to speak her language and that she had been left with no alternative but to turn to a food bank. Although I welcome the proposals in the Welfare Funds (Scotland) Bill, it is clear that without the appropriate awareness raising, training, advertising and provision of materials to Jobcentre Plus and third sector agencies, many initiatives such as the Scottish welfare fund and the community care grant will not be widely known to our most vulnerable, and the money will remain shockingly underspent.

It also strikes me that, when new proposals are drafted, one group that is not consulted enough on them is the most vulnerable. Given that they unfortunately have to rely on the system, surely they have a role in ensuring that it is as stress free and as simple as possible. Article 25 of the Universal Declaration of Human Rights recognises access to food as part of the right to an adequate standard of living, but the committee's report found that, since 2012, the use of food banks has increased by 400 per cent. In many cases, people who are sanctioned wrongly have their housing benefit stopped, but relatively few who are sanctioned receive hardship payments, and the committee's report highlights cases in which people living in Scotland had to walk up to 12 miles to get to a food bank and notes that some users had to refuse the food provided because they could not afford to turn their oven on to cook it. With its welfare reforms, the coalition Government has denied the right that is set out in article 25 to the 71,000 people in Scotland who are dependent on food banks.

Finally, as I suggested in my speech about the Welfare Funds (Scotland) Bill, anonymous case

studies could be used to ensure that organisations that get people back into work and help them live a full and independent life have a better grasp of the needs of our most vulnerable and are able to explain things to them as clearly as possible.

It is not the job of the Scottish Parliament simply to acknowledge welfare challenges; it would be incredibly easy just to note such concerns and say that we have done our duty. However, I am sure that all members across the chamber will agree that that is simply not enough. If we are not here to challenge, we are wasting our time; if we are not here to listen, we are not doing our job; and if we are not here to change, we have lost all hope.

15:58

Joan McAlpine (South Scotland) (SNP): Although I am now a member of the Welfare Reform Committee, I was not at the time that these reports were produced and I pay tribute to the MSPs who were involved, the committee clerks and all the organisations and individuals who gave evidence. These two comprehensive reports have raised awareness and understanding of extreme poverty and its causes.

I agree whole-heartedly with the food bank report's conclusion that UK ministers are quite wrong to deny any link between welfare reform and the rising use of food banks. In fact, the distressing evidence that was taken by the committee demonstrates a strong link between the two. In their written and oral evidence, witnesses repeatedly referenced benefit sanctions and benefit delays as reasons for the increase in the use of food banks. As others have mentioned—this bears repeating—the Trussell Trust said in evidence that the three main problems that led people to Scottish food banks in 2013 and 2014 were benefit delays, benefit changes, including sanctions, and low incomes.

The rise in the use of sanctions by the Department for Work and Pensions is a moral outrage, as it leaves people completely destitute. Other members have talked about the figures that show how sanctions have risen, so I will not repeat those. However, I will repeat a piece of evidence that was taken by the committee that shows the absurdity and the cruelty of the sanctions regime:

“Annemarie was sanctioned in December 2012 for four weeks for failing to do the requisite number of job searches. She applied for 27 jobs instead of 28 within a two week period. This left Annemarie without the money she needed to heat her home or to be able to buy food. Annemarie could not access the hardship fund until the 15th day of her sanction, leaving her with no money for over 2 weeks. Annemarie felt her only option was to borrow money through a payday loan, enabling her to buy food as well as small Christmas gifts for her family. Fortunately, Annemarie was able to access seasonal part time work to assist her

throughout this time. Annemarie is still paying back the loan ... 12 months after the initial sanction.”

It was perhaps not surprising that the Trussell Trust found that 19 per cent of its food bank users did so because of changes to their benefits. However, the same proportion of food bank users did so because of low income. That was confirmed by Mark Ballard of Barnardo's, who told the committee that the driver of food poverty was not just the low and delayed benefits but the decline in the value of wages.

Carol-Anne Alcorn of FareShare and Edinburgh Cyrenians said that working people on low incomes cannot meet the rising cost of rent, food and fuel. That has been my experience when I have helped volunteers at the First Base Agency, a charity in Dumfries that distributes food parcels in Dumfries and Galloway. What shocked me—other members have mentioned this—was the large number of people who asked us to make up parcels that did not require cooking because they could not find the cash to pay for gas and electricity. I note that my first-hand observation was repeated in evidence to the committee.

Other members have talked about their local food banks and I want to pay tribute to the First Base Agency, whose work is remarkable. Its director, Mark Frankland, writes a blog, to which I direct anyone who wants to know more about the hard work and the effort that it takes to keep such lifeline services going. Mark's current posting, “A December day in the life of a Scottish food bank”, makes for a very poignant read. Every Monday morning, he has to be at the back door of Greggs for 8 am to take delivery of 50 loaves. Last week, he ended one of his days at Kirkcudbright harbour, where a trawler that had taken a particularly good catch donated a large part of it to him. The haul of scallops was not for the food bank but for him to sell in order to use the money to buy other food for distribution.

I pay tribute to the generosity of those who contribute to food banks, in particular local businesses. In our area, church congregations are particularly generous and Mondays at the food bank are very busy as volunteers drop off collections taken during Sunday services.

In Mark Frankland's blog, he talks of opening a Christmas card last week with a £200 cheque inside. It was from two pensioners who had decided to donate their winter fuel allowances as they felt that others were more in need of it than they were. He mentions that those pensioners were his

“fellow travellers from the ‘Yes’ campaign”.

Although people from all political backgrounds donate to and run food banks, I want to mention the yes movement's action in that regard,

particularly since the referendum. All over Scotland, local yes groups, deeply disappointed with the referendum result, wanted to channel their energy into making a positive difference to their communities and found that addressing food poverty is a very tangible way to do that.

Last weekend, my SNP branch in Dumfries east set up a food collection stall in the centre of town at the suggestion of two of our younger new members. By the end of the day, we had collected £600-worth of food and £200-worth of cash donations for the First Base Agency.

I think that there is a good reason why people who were part of the independence campaign want to throw their energy into that type of activity. As has been discussed, welfare is a reserved matter, and the two specific aspects of welfare that will stay reserved are sanctions, which cause many people to go hungry, and low wages. The Smith commission's proposals will specifically keep the sanction regime in London and prevent our setting a minimum wage here in Scotland. Although I welcome the reforms that the Smith commission proposes, those key aspects of food poverty will remain reserved to Westminster, which is deeply disappointing.

The Deputy Presiding Officer (John Scott): We move to the closing speeches. I call Alex Johnstone, who has six minutes.

16:05

Alex Johnstone (North East Scotland) (Con): In Scotland, we are extremely lucky to be part of the United Kingdom—an economy that is now growing faster than any other economy in the developed world. Contrary to the policies that were adopted by many of our European colleagues, particularly those in the eurozone, the policy that we have decided to follow is, throughout the United Kingdom and in Scotland, creating jobs and economic growth at a time when many of our European neighbours would kill for such an opportunity. Yet, we have a persistent problem.

Here in Scotland, in many areas—perhaps all areas—there is a desperate labour shortage, yet when jobs are created they are filled largely by immigrants. I am one of those Conservatives who does not oppose immigration, particularly immigration within the European Union, but it still concerns me that we do so badly when it comes to getting our unemployed into the jobs that we are now creating. The consequences of that failure are obvious and are clearly stated in the two reports that we have in front of us today.

I will address the issues specifically. When it comes to sanctions, there is obviously a problem. The sanctions regime seems to attack the same people time and again. However, I want to take a

step back and take a broader view of sanctions. First, I refute the suggestion that sanctions are somehow the invention of the current coalition Government. Sanctions were introduced some time ago, under the previous Labour Government. In fact, only in the past 12 months has the level of sanctions gone past the peak that was achieved in 2007, when Frank Field was the minister responsible. Let us therefore take no lessons from the previous Government on the implementation of sanctions.

Nevertheless, there are problems with sanctions as they are applied today. There is a broad understanding that, if we are to have a welfare regime and a benefits system, some kind of enforcement and disciplinary measures will be necessary. The report "Re-thinking Welfare: Fair, Personal & Simple" does not go so far as to suggest that we do not need a disciplinary and enforcement mechanism. Yet, for many of the individuals who have experienced sanctions, it is a very difficult circumstance to find themselves in. Many of them do not understand why sanctions have been applied, and a great many more have gone through the process of having their mandatory reconsideration and the sanction threat being withdrawn. There is an appeals procedure and, as with many appeals procedures in the welfare system, there is a surprisingly high success rate of appeals. However, in my view, that is symptomatic of a system that is not being appropriately administered rather than a system that is itself inappropriate.

Let me move on to the other reports. Several times today, we have heard members say that the demand for food banks is caused entirely by the implementation of sanctions. We have heard others suggest that low wages are a large cause. A moment or two ago, however, we heard a brief mention of the evidence that was provided by Mark Ballard on behalf of his employers, who went to some length to explain the causes of the demand for food banks. He understood that the drivers include high food prices.

We have been through a five-year period in which food prices peaked at a very high level. High fuel prices have also been a driver. No one is giving away free electricity, so free food from a food bank will be the option that people choose. Sadly, extremely high transport costs have contributed to family difficulty and, as we have heard on more than one occasion during this debate, some people have been unable to travel to food banks or have had to walk many miles to take advantage of their service.

Food banks as a whole balance people's opinions, and we must be careful what we say about them. I agree with everybody here that it is unfortunate that food banks are currently

necessary. However, they are a wonderful example of how, when a need is identified, human beings can pull together and work together for the benefit of all. I pay tribute to everyone who works in a food bank, large or small, or who makes a contribution to food bank, to keep that essential service in place while it is necessary.

Our challenge is to work to ensure that it is not necessary for ever. The opportunity presented to us by the Smith commission agreement is one that the Scottish Government is underestimating. The opportunities that universal credit presents are extremely positive and the universal credit system, administered by the Westminster Government, will contribute enormously to the simplification and efficient provision of support in the main benefit areas.

The Smith commission agreement gives us huge new opportunities to top up benefits or create new benefits and support systems that we can deliver here in Scotland. The challenge, however, is to achieve the political consensus necessary to do that. In effect, we can pay any benefit we like, as long as we raise the money through taxation here in Scotland. We must all pull together and work together to argue a case that is acceptable to not only those who will take advantage of the systems that are provided—

The Deputy Presiding Officer: Draw to a close, please.

Linda Fabiani: Will the member take an intervention?

The Deputy Presiding Officer: The member is closing.

Alex Johnstone: —but those who will pay for them, too. That is a challenge that will keep us thinking for many years to come.

16:12

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I welcome the opportunity to make some concluding remarks on behalf of the Labour Party on this committee-initiated debate. The committee's report is excellent.

There is much common ground. Most of us would agree that, whatever the original good intentions, the Liberal Democrat-Conservative coalition policies on welfare have become uncaring and unjust, as Cara Hilton said.

Kevin Stewart: Will Mr Simpson give way?

Dr Simpson: No, I have not even got started.

Whoever had been in power would have had to make difficult and often unpopular choices at UK, Scottish and local authority levels, but there should be no doubt that the coalition has, perhaps

inadvertently, punished the most vulnerable while it has rewarded, certainly deliberately, the most affluent with tax cuts.

One phrase that will remain laughable in the living memory of most people of this generation is:

“We are all in this together.”

The rich are getting richer. Last year the chief executive officers of FTSE 100 companies awarded themselves a 14 per cent increase in wages. Bankers' bonuses continue—they just do not get it. At the same time, we have low pay—which, as Alex Johnstone said, is contributing to the use of food banks—part-time working, poorly rewarded self-employment and zero-hours contracts.

As Ken Mackintosh said, we need to address the rich and address poverty wages. A Labour Government will take some tough decisions, including restoring the 50p tax rate and introducing a bankers bonus tax, a mansion tax and a tobacco producers tax. Of course, that can happen only if Labour is the largest party. We shall see what happens in May.

If anyone is in any doubt about the consequences of five more years of Tory rule, the recent vote on the bedroom tax, which was supported by 35 Liberal Democrats, and the statements that some Tories made in the food bank debate make it clear where we will head if there is a Tory Government after May: a state whose size will be reduced, as the Office for Budget Responsibility said, to the same proportions as in the 1930s—not the same size but the same proportions. That is still highly relevant.

Alex Johnstone is right that sanctions have always been part of our benefits system. As a general practitioner in the 1970s, I dealt with the problems associated with the measure that was called stop down. However, as Michael McMahon made clear on behalf of the committee, the new sanctions regime is excessive and counterproductive.

It has become apparent that no one is off limits for the coalition's implementation of the welfare system. The Inclusion Scotland briefing highlighted how hard the most vulnerable have been hit. In Scotland, 132,000 sanctions have been applied, as Linda Fabiani said, and 3,000 at a high level—for more than 13 weeks. Can anyone imagine doing without benefits for 13 weeks? Members should just think of it. How would they cope? Without food banks, we would be nowhere.

As Anne McTaggart and others said and even Alex Johnstone admitted, many people do not know that they are being sanctioned and, on appeal, find that they have been the victims of

maladministration. The so-called hardship funds are normally payable only after 15 days. Joan McAlpine's good illustration demonstrated what that meant to people.

SAMH has usefully provided us with a lot of information. I do not have time to go through the statistics but, as a shadow health minister and a former doctor, I am particularly concerned about the effects of welfare reform on those with mental ill health.

The implementation of the rather crude system of welfare that we have introduced is particularly damaging to those with mental ill health. Mental ill health can be continuous but it is often highly variable, and the implementation of the system has often killed the aspirations of many people with mental ill health to get back into work. My experience was that people in that situation wanted to work, but I often had to counsel them and tell them to go cannie. They had just been through a hard time—they had been through a depressive illness, they had bipolar disorder or their schizophrenia was just under control—and I told them to go into voluntary work first, find out how they coped and move forward gradually. However, 98 per cent of respondents to the SAMH survey said that their mental health had suffered as a result of the system that was being employed, with increases in stress and anxiety.

There are many other statistics that I do not have time to give, but Kevin Stewart graphically illustrated the effect that even the fear of sanctions has on individuals.

The bedroom tax is an illustration of what is wrong with our system. I remember having good ideas as a minister and, when I was out of power and working as a consultant psychiatrist, watching them being implemented on the job that I was trying to do in a way that added hugely to the bureaucracy and administration of my work. I was appalled that, as a minister, I could have envisaged that but I had not; it was not my intention. That is often what happens with measures such as the bedroom tax.

An underoccupancy charge might be valid where there are people who want homes, but not in the way that the measure has been applied, with people who have disabilities not having room to store their equipment or, for example, someone not being able to sleep separately from their disabled wife who has disturbed nights. Those are cruel things to happen.

Food banks are perhaps the epitome of the system, as many speakers said. Their usage is massive. The history, which Siobhan McMahon gave us, shows that we have always had food banks, but only 40,000 people in the UK used them in 2010 and the figure is nearly 1 million

today. That must irrefutably be a consequence of the welfare reforms because, as Alex Johnstone said, employment has increased.

I am running out of time and I do not have time to deal with the Smith commission. Regardless of the fact that they will never satisfy our colleagues in the SNP, the additional powers that are coming to us give us an opportunity and the Scottish people will not forgive us if we do not use them effectively. As many members said, the work must start now to create the additional model of Scottish welfare that achieves the fairer society that we all want. Gripping about what we do not have will not be sufficient. It might have certain political advantage, but the Scottish people will not forgive it. The work starts now.

16:19

Margaret Burgess: During the debate, it has been clear that members have a real understanding of how the welfare reforms are affecting people in all our communities. The message that we should be sending out to people is that we know what impact the process is having on them.

There has been a lot of talk about the sanctions regime, which is punitive. Regardless of what has been said, it is not helping people back into work; the evidence does not show that it is. The illustration that Kevin Stewart gave highlighted the fact that the fear of sanctions is making it more difficult for people to get into work, because it is affecting their mental health, as Richard Simpson mentioned. People are not deliberately not complying with what the jobcentre is asking them to do. Many people do not understand what they are being asked to do and are not being supported in doing it. We must say so.

For me, the biggest regret as far as sanctions are concerned is that the Parliament still has no powers over them. We will not get any powers that will allow us to take action on sanctions and make things easier for our people. I would have liked full welfare powers to have been devolved to Scotland. That would have enabled us to adopt a much more proportionate approach to any so-called offence that a benefit claimant was alleged to have committed.

Food banks have been the subject of a great deal of discussion. It is clear that there is a link between the use of food banks and benefit reforms, benefit delays and low income. We will not be able to have any control over that, because we will not get the power to control the minimum wage or powers to grow our own economy. It is sad that that is not to happen. There was an opportunity for us to get such powers.

It is not just the Scottish Government that says that. Unison says it, too. Unison is extremely disappointed that, although the proposals include some positive elements, which I accept,

“the package as a whole falls short of our aspirations ... with particular regard to job creation, employment regulation, equalities and minimum wage.”

Those are all areas in which having the power to act would help to make the fairer society that we want. There is nothing in the new powers that will allow Scotland to create a new welfare state. There are certainly powers that we will use to benefit the people of Scotland, but they will not allow us to create a new welfare state, which is what most—75 per cent—of civic Scotland wanted.

A number of areas were mentioned in which it was claimed that the Scottish Government is not taking action. We are taking action. With the powers that we have, we are taking direct action to do what we can to support people and organisations throughout Scotland in what are very difficult times.

The Scottish welfare fund shows what we can achieve when we deliver welfare here in Scotland, and the most recent official statistics show that, between April 2013 and June 2014, more than 100,000 households in Scotland received at least one award. Those awards come to a total of around £38 million. By working alongside local authorities, we have been responsive to the needs of vulnerable people.

I want to pick up on a couple of points that Ken Macintosh made. He talked about people being paid in goods as opposed to cash. I repeat what I said during Tuesday’s debate: the bulk of the crisis grants that are paid out—which are paid out when people have no money for food, fuel or whatever—are paid out in cash. It is community care grants, when bigger items of expenditure are involved, that in many cases are paid in goods and, in some cases, vouchers. It was clear from the evidence that was given to the Welfare Reform Committee that many people and organisations appreciate receiving goods, and that they have a say in what goods are provided. Like other members, I agree that it would not be appropriate just to provide any goods, but when the goods are what people require and are chosen in discussion with the individual, in many cases people appreciate receiving goods.

We will also listen to what stakeholders say about the impact of the DWP sanctions.

Ken Macintosh: I recognise that this is not an easy point. I think that I made the point on Tuesday as well as today that there can be an argument, but does the minister recognise that none of us gets paid in goods or in furniture and

that, by paying people in that way, we are definitely making a choice on behalf of welfare recipients? I made the point that if people are denuded of choice, their resilience is not being built. Does she accept that argument?

Margaret Burgess: No, I do not accept that we are not building resilience in many of the people who get goods. They get an opportunity. They are very vulnerable people. There have been stories of people going with a support worker or an organisation to choose their own goods and pick a colour scheme. Goods are delivered to their home and they have windows measured for curtains. A full service is provided. For very vulnerable people, just taking part in that exercise, which they might never have done before, helps.

The goods allow many local authorities to stretch the fund further. That must be looked at, as well.

The Scottish welfare fund has flexibility in local authority areas. I am not saying that it is perfect yet. We can work on that, but that flexibility should remain.

We listened to the concerns about sanctions and changed the guidance on the Scottish welfare fund to make it clear that an application by someone who has been sanctioned by the DWP should be considered the same as any other application.

We are doing what we can to ensure that a vital safety net remains in place, but we recognise that no single organisation or area of Government can own Scotland’s overall response to the UK Government’s welfare reform programme. That is why we are working closely with all our partners to ensure that we do the best with our existing resources to help those who are affected. We also know that the programme puts significant pressure on local government.

Finally, I want to say a bit about the Smith commission. I make it absolutely clear in response to what Richard Simpson said that the Scottish Government will work with our stakeholders and the people of Scotland to make the very best use of any powers that come to the Parliament. I accept that they are not the powers that we wanted but, whatever powers come to the Parliament, the Government will work closely with civic Scotland and our stakeholders and across the chamber to ensure that the people of Scotland get the best benefit from them.

The Deputy Presiding Officer: I call Clare Adamson to wind up the debate on behalf of the committee.

16:27

Clare Adamson (Central Scotland) (SNP): I welcome the opportunity to contribute to my first committee debate in my role as deputy convener of the Welfare Reform Committee. I thank the previous members of the committee for their hard work in producing both of the reports that we are discussing.

I may be new to the post, but I am certainly not new to the concerns and issues around welfare reform. We all hear similar stories in our constituencies about the hardships that people face. There cannot be an MSP or councillor in Scotland who does not understand the level of the problems, because our surgeries are full of people who are seeking help and our mailboxes are full of letters from them.

In the debate earlier this week, I referenced the Citizens Advice Scotland briefing for this week's debates on welfare. It talked about the need for food banks and the level of poverty being destitution that goes beyond poverty.

While I have been getting up to speed with the committee's work, some things have really struck me in the evidence. In his opening speech, our convener Michael McMahon mentioned the severity of the new sanctions regime. I want to raise a point about proportionality. As the committee heard in oral evidence from Dr David Webster of the University of Glasgow, the loss of income that sanctions can lead to is now twice the maximum that can be imposed by the fines in our courts. He said:

"the JSA scale of fines runs higher than that which is available to the mainstream courts, yet claimants have none of the protections that an accused in the mainstream courts would have. I am referring to the presumption of innocence, the entitlement to legal representation and the fact that—as I mentioned in my submission—in a mainstream court, before someone is sentenced, the sheriff will call for reports so that the sentence is appropriate."—*[Official Report, Welfare Reform Committee, 1 April 2014; c 1404.]*

We have also heard about the DWP shifting the social responsibility and the costs of dealing with the effects of welfare reform, particularly the costs of dealing with sanctioned claimants.

One area where the cost has clearly been put on to the third sector is food banks. The DWP argues that there is no causal link between the increase in food bank use and welfare reforms, but the committee heard different in oral evidence. Dr Filip Sosenko of Heriot-Watt University told the committee that the "strongest evidence" for a link between welfare reform and the demand for food aid was the growth of food aid at a faster rate post April 2013. As we know, April 2013 was when significant changes were made to the welfare system, including the introduction of the so-called

bedroom tax, the uprating of benefits by 1 per cent rather than in line with inflation, the assessment of people on disability living allowance and the benefit cap. Those were four significant changes to the welfare system.

To bring the issue down to local level, Community Food Moray said in its written submission that

"The impact of the welfare reform was evident almost overnight."

It pointed to an increase in referrals post April 2013 from 10 per month to an average of 15 per week.

I will address some of the issues that my colleagues have raised during the debate. In the minister's opening speech, she framed the Government's approach to welfare reform within three main priorities: making a prosperous Scotland, tackling inequality and protecting and reforming our public services. The minister ably brought to light some of the work that the Scottish Government is already doing with the powers that we have. She had hoped that the Smith commission would give a significant opportunity to move away from mitigation of the welfare reforms to a system that suits Scotland's needs. However, in the minister's assessment, the commission is a missed opportunity.

Ken Macintosh almost broke into consensus. He ably highlighted the work of the charity the Pavement and its work on the streets project. He told us about the plight of Caroline, who had 15 months under sanctions—an apt example of some of the problems that people are experiencing. Mr Macintosh also referenced the committee's visit to the Parkhead citizens advice bureau, which I am sure was extremely informative and helped the committee in its work.

We heard from two esteemed members of the Smith commission: Annabel Goldie and Linda Fabiani. Ms Goldie looked to future actions and how to influence change and provide mitigation. I share Dr Simpson's concern about paragraphs 55 and 56 of the Smith commission report, which are on top-up benefits. The concern is whether such benefits may be offset in the future. Ms Fabiani also mentioned that as a concern.

Kevin Stewart highlighted the number of disabled people who have been affected by the reform. He referred to the moving evidence to the committee from John Lindsay and James Nisbet, who ably told us of their experience as people suffering from mental ill health going through the system and having to deal with what they said were punitive measures and often insulting questions.

Cara Hilton thanked the volunteers who work in the food bank sector. She mentioned that we should all regret the need for food banks, and spoke of the great work of volunteers across Scotland. There is a food bank drive in my Central Scotland region on Saturday morning, which I hope to take part in and which I hope is a success. The issue was also highlighted by Joan McAlpine in relation to South Scotland.

Christina McKelvie reminded us of the disproportionate effect that welfare reform has had on women's incomes, with an estimated £22 billion of the £26 billion of cuts so far being shouldered by women, many of whom are also disabled. Ms McKelvie pointed to the inequality of that and said that it leads to further discrimination against women in our society.

Siobhan McMahon gave us an informed history of the establishment and the growth of food banks in the world and, as Michael McMahon did in his opening speech, Siobhan McMahon said that the three-year period up to which people can be sanctioned is a completely disproportionate and punitive length of time. She also reminded Parliament that use of food banks and third sector organisations to address issues of need that should lie within the responsibilities of the DWP should not be normalised or accepted as the way forward for our society, because those societal burdens should lie with the DWP.

Ms Fabiani talked about the growth in the number of food banks and highlighted the work of a constituent of hers in East Kilbride, Denis Curran, who has worked in food banks for many years. She said that his experience made it impossible to understand how anyone could deny that the austerity policies of Westminster and welfare reforms are linked to the current rise in the number of food banks and their use.

Anne McTaggart spoke passionately about the wider aspects of fuel poverty and the complications of poverty, and Joan McAlpine highlighted the case of Annemarie, who was left in debt for years because of problems arising from the large number of sanctions that had been applied to her.

I come to Alex Johnstone's summing-up speech. I was interested in the use of language throughout the debate. When we hear members using words such as "punitive" and "inhumane", it is difficult not to share some of their concerns about how inhumane the sanctions reform is. However, I hope that the consensus and willingness to move forward that Mr Johnstone talked about will work across the chamber. I hope that, in my time on the committee, I will be able to work with all its members to try to solve some of these very difficult problems.

The Presiding Officer (Tricia Marwick): You can wind up, Ms Adamson.

Clare Adamson: Thank you, Presiding Officer. As I said, this has been my first opportunity to speak on behalf of the committee, and I hope that I have reflected the debate this afternoon. I look forward to continuing that work with the committee.

The Presiding Officer: That concludes the Welfare Reform Committee debate on welfare reform and the Smith commission.

I invite the Minister for Parliamentary Business to move a motion without notice to bring forward decision time to now.

Motion moved,

That, under Rule 11.2.4 of Standing Orders, Decision Time on Thursday 18 December 2014 shall begin at 16.37 pm.—[*Joe FitzPatrick.*]

Motion agreed to.

Decision Time

16:37

The Presiding Officer (Tricia Marwick): There is only one question to be put as a result of today's business. The question is, that motion S4M-11840, in the name of Michael McMahon, on welfare reform and the Smith Commission, be agreed to. Are we agreed?

Motion agreed to,

That the Parliament notes the Welfare Reform Committee's 2nd Report 2014 (Session 4), *Food Banks and Welfare Reform* (SP Paper 537), its 4th Report 2014 (Session 4), *Interim Report on The New Benefit Sanctions Regime: Tough Love or Tough Luck?* (SP Paper 552) and the welfare proposals contained in the *Report of the Smith Commission for further devolution of powers to the Scottish Parliament*.

The Presiding Officer: I take this opportunity to wish all members a peaceful, happy Christmas and a good new year. It has been a momentous year for Scotland and for the Scottish Parliament, and I hope that you take the opportunity that is given to you over these next two weeks to have a bit of rest and time with your families. I wish you all the best.

Meeting closed at 16:38.

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