PUBLIC PETITIONS COMMITTEE

10th Meeting, 2006 (Session 2)

Wednesday 31 May 2006

The Committee will consider the following new petitions—

PE952 Petition by Christine MacVicar calling for the Scottish Parliament to urge the Scottish Executive to recognise and adopt the European Charter of Rights for People with Autism.

PE964 Petition by Kevin Lilburn and Fairplay Loch Lomond calling on the Scottish parliament to urge the Scottish Executive to review the operation of speed restrictions on inland water in Scotland.

PE954 Petition by Claire Cairns, on behalf of the National Carer Organisations Group, calling on the Scottish Parliament to urge the Scottish Executive to fully implement the 22 recommendations of Care 21’s Report – “The future of unpaid care in Scotland”.

PE966 Petition by Robert A Lambert, on behalf of Glenrothes Community Action Group, calling on the Scottish Parliament to consider and debate the lack of investment in swimming pools in Scotland, what action is being taken to address the Sportscotland ‘Ticking Time Bomb’ report published in 2000 and how the goal to “increase and maintain the proportion of physically active people in Scotland” is being met.
Public Petitions Committee – a template for e-petitions

Should you wish to submit an e-petition allowing signatures to be gathered online on the Public Petitions Committee e-petitioner web pages please complete the template below. Before submitting your e-petition please consult the Guidance on submission of public petitions for advice on what is and is not admissible. You may also seek advice from the Clerk to the Committee whose contact details can be found at the end of this form.

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<th>Period for gathering signatures:</th>
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<td>Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks</td>
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<td>Closing date: 31st March 2006</td>
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a template for e-petitions, July 2004
Additional information:

*Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.*

This Charter was devised by Autism Europe to highlight the rights of people with autism. Presented at Autism Europe's congress in May 1992, and adopted by the European Parliament in May 1996, these rights remain unacknowledged by Scotland.

Recommendations within the Charter state that these Rights should be enhanced, protected and enforced by appropriate legislation in each state.

Recognition and adoption of the Charter should be the first step to allow this to happen in Scotland.

The Charter was originally proposed to the European Parliament by a Scottish MEP.

The incidence of this condition has significantly increased since 1992 and now stands at 1 in 166.

Schedules to the basic Charter can be found at: [www.shu.ac.uk/schools/ed/share/charter.htm](http://www.shu.ac.uk/schools/ed/share/charter.htm)

**Declaration of the European Parliament on the Charter of Rights for People with Autism - European Union**

adopted by the European Parliament
Thursday May 9th, 1996.
Source: Autism Europe

At least 1 million citizens within the EU are affected by Autism. People with Autism can have impairments in communication, social contact and emotions which can affect all senses including touch, smell and sight. People with autism should share the same rights and privileges enjoyed by all of the European population where such are appropriate and in the best interests of the person with autism.

These rights should be enhanced, protected, and enforced by appropriate legislation in each state. The United Nations declaration on *The rights of Mentally Retarded Persons (1971)* and *The rights of Handicapped Persons (1975)* and other relevant declarations on Human rights should be considered and in particular, for people with autism the following should be included:


1. The right of people with autism to live independent and full lives to the limit of their potential;
2. The right of people with autism to an accessible, unbiased and accurate clinical diagnosis and assessment;
3. The right of people with autism to accessible and appropriate education;
4. The right of people with autism (and their representatives) to be involved in all decisions affecting their future; the wishes of the individual must be, as far as possible, ascertained and respected;
5. The right of people with autism to accessible and suitable housing;
6. The right of people with autism to the equipment, assistance and support services necessary to live a fully productive life with dignity and independence;
7. The right of people with autism to an income or wage sufficient to provide adequate food, clothing, accommodation and the other necessities of life;
8. The right of people with autism to participate, as far as possible, in the development and management of services provided for their wellbeing;
9. The right of people with autism to appropriate counselling and care for their physical, mental and spiritual health; this includes the provision of appropriate treatment and medication administered in the best interest of the individual with all protective measures taken;
10. The right of people with autism to meaningful employment and vocational training without discrimination or stereotype; training and employment should have to the ability and choice of the individual;
11. The right of people with autism to accessible transport and freedom of movement;
12. The right of people with autism to participate in and benefit from culture, entertainment, recreation and sport;
13. The right of people with autism of equal access to and use of all facilities, services and activities in the community;
14. The right of people with autism to sexual and other relationships, including marriage, without exploitation or coercion;
15. The right of people with autism (and their representatives) to legal representation and assistance and to the full protection of all legal rights;
16. The right of people with autism to freedom from fear or threat of unwarranted incarceration in psychiatric hospitals or any other restrictive institution;
17. The right of people with autism to freedom from abusive physical treatment or neglect;
18. The right of people with autism to freedom from pharmacological abuse or misuse;
19. The right of access of people with autism (and their representatives) to all information contained in their personal, medical, psychological, psychiatric and educational records.

Action taken to resolve issues of concern before submitting an e-petition:
Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

Eleven years ago I founded Renfrewshire Autism and Aspergers Group (RAAG) with the hope that families working together could achieve better recognition of the needs and rights of their children, whatever the age of their child. I am current Co-Chair and an active member of the local Autism Focus Group. Over these years I have approached numerous MSPs and councillors with regard to the autistic community and RAAG have actively participated in local planning processes. (Trish Godman, Hugh Henry and Wendy Alexander.) (Local councillors Carol Puthucheary and Derek MacKay)

(The Charter is an integral part of RAAG’s leaflet.)

Since its inception I have been a member of the Cross Party Committee for Autistic Spectrum Disorder and endeavour to highlight the plight of those with ASD.

I prepared the CPG’s response to the Draft Mental Health Bill in an effort to have the problems associated with this unique condition recognised. As part of a group with Rosemary Byrne, I met with the Deputy Justice Minister, Mary Mulligan, to discuss problems faced in the justice system by those with ASD. There was a later meeting with the P.F’s Office on this subject.

I approached Lloyd Quinnan with the Charter to take to the appropriate authorities, but he was unsuccessful.

I am a member of Autism Treatment Trust and of the newly formed Autism Rights Group.

Comments to stimulate on-line discussion:
Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

I had a chance to give a potted history of my son’s experiences at the Cross Party Group for ASD at their September 2005 meeting. It is available at the website. His experiences are not unique and demonstrate that the current systems are failing those with ASD.
Petitioners appearing before the Committee

The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee’s consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature Christine MacVicar

Date 23 February 2006

For advice on the content and wording of your e-petition please contact:

The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk
Public Petitions Committee – a template for public petitions

Should you wish to submit a public petition for consideration by the Public Petitions Committee please complete the template below. Please refer to the Guidance on submission of public petitions for advice on issues of admissibility before completing the template. You may also seek advice from the Clerk to the Committee whose contact details can be found at the end of this form.

Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available

Kevin Lilburn

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.
The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Kevin Lilburn and Fairplay Loch Lomond calling on the Scottish Parliament to urge the Scottish Executive to review the operation of speed restrictions on inland water in Scotland.

Additional information:
Any additional information in relation to your petition, including reasons why the action requested is necessary, should not be included here. However, it may be appended to the petition and will be made available to the Public Petitions Committee prior to its consideration of your petition.
Please note that you should limit the amount of any additional information which you may wish to provide in support of your petition to no more than 4 sides of A4.
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All local MSPs for the Loch Lomond area, the largest inland water in Scotland, have been contacted regarding this issue and meetings have been held with certain MSPs.

Meetings have taken place with the Loch Lomond and Trossachs National Park Authority and other relevant local bodies, such as Riparian owners, to try and resolve this issue of speed inland water, notably Loch Lomond.

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| I DO request to make a brief statement before the Committee | ✗ |
| I DO NOT request to make a brief statement before the Committee | ☐ |

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Signature ...Kevin Lilburn.................................................................

Date......2May2006...........................................................................

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:

The Clerk to the Public Petitions Committee,
The Scottish Parliament,
Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5086
APPENDED INFORMATION:

Loch Lomond is Britain’s largest inland waterway and is at the heart of the Loch Lomond and Trossachs National Park, which encompasses around 1,865 sq km (720 sq miles) of world-renowned scenery and recreational areas. It is currently under consideration of imposing a speed ban on parts of the water which this petition hopes to overturn.

There are twenty lochs (or lakes) in the park, but Loch Lomond is one of only two on which motorised recreational activities, such as power-boating and waterskiing, take place. In 1996 byelaws came into force governing activity on and around Loch Lomond and a maximum speed limit of 90 kph (56 mph) was established. In addition a speed limit of 11 kph (7mph) was established within 150 m (164 yds) of most shorelines and certain confined areas in order to:

- Reduce noise on the surrounding shores
- Protect wildlife on the surrounding shores
- Improve conditions for fishing
- Improve safety, in particular for swimmers

The existing byelaws are currently under review and proposed amendments include extending the 11 kph (7mph) speed limit right across the middle third of the loch, and encompassing an enormous area of open water.

This new legislation for such a large part of water is UNNECESSARY and UNWARRANTED. Boat numbers have fallen by 66% in the last five years, there have been no accidents attributed to speed, rare species are thriving and visitors cite existing levels of peace and tranquillity as a source of pleasure on and around the loch.

We at FAIRPLAY LOCH LOMOND, a group of concerned residents, loch users and business owners do not want unnecessary speed restrictions imposed on certain inland waters, most notably Loch Lomond, and we oppose this new legislation on the grounds that it will:

- Effectively outlaw the recreational activities enjoyed by generations of loch users
- Severely restrict the water-borne movements of local residents and visitors
- Have a devastating impact on local businesses in an area already blighted by high unemployment
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Claire Cairns
Network Co-ordinator

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Petition by Claire Cairns, on behalf of the National Carer Organisations Group, calling on the Scottish Parliament to urge the Scottish Executive to fully implement the 22 recommendations of Care 21’s Report – “The future of unpaid care in Scotland”.

The National Carers Organisations Group is comprised of the following members: Carers Scotland, The Coalition of Carers in Scotland, Crossroads, The Princess Royal Trust for Carers, The Scottish Carers Alliance and Shared Care Scotland
Additional information:

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This petition is in support of the Care 21 report which was commissioned by the Scottish Executive in relation to the future role of unpaid carers in Scotland. The aim of the petition is to both congratulate the parliament on this innovative piece of work and to urge support for the 22 recommendations.

Representatives from the National Carer Organisations have met with Lewis MacDonald, the Deputy Minister for Health and Community Care, and representatives from the carers unit at the Scottish Executive, to discuss the findings of the report and their implementation and have participated in the scoping exercise to date. There is a strong willingness from all parties to work jointly for the benefit of unpaid carers in Scotland. We are now urging the parliament to fully support this report and commit additional resources to enable the Care 21 recommendations to be fully implemented.

The National Carers Organisations have played a key role in disseminating the report and raising awareness of it’s findings amongst carers, carer organisations and other interested parties. This petition has been signed by carers and other interested parties who wish to see the Care 21 vision become a reality.

In conjunction with the petition John Swinney will be hosting a parliamentary reception which will inform M.S.P’s of the report’s findings and raise awareness of the needs of unpaid carers within Scotland, with the aim of persuading M.S.P’s to back the report and call for it’s full implementation.

Petitioners appearing before the Committee

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Signature ..........................................................

Date .......................... 22/03/06 ..........................................................

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Fife Council, Mrs Christine May MSP, Mr John MacDougal MP, First Minister Mr Jack McConnell MSP and Dr Gordon Brown MP.

I have not included any of the correspondence as there is so much of this that it would mean sending a full lever arch file. There is also a 12000 signature petition in another two lever arch files.

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