



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 3, No. 98, Session 6

Meeting of the Parliament

Wednesday 17 April 2024

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

1. Portfolio Questions: Questions on Rural Affairs, Land Reform and Islands and then NHS Recovery, Health and Social Care were answered by Cabinet Secretaries and Ministers.

2. Repealing the Hate Crime Act: Russell Findlay moved S6M-12855—That the Parliament believes that the Hate Crime and Public Order (Scotland) Act 2021 should be repealed.

The Minister for Victims and Community Safety (Siobhian Brown) moved amendment S6M-12855.3—

As an amendment to motion S6M-12855 in the name of Russell Findlay (Repealing the Hate Crime Act), leave out from “should” to end and insert “, as supported by the majority of the Parliament, will provide greater protections for those who are targeted victims of hate crime; notes that the Act was developed following a review into hate crime by senior retired judge Lord Bracadale, who recommended specific legislation to recognise the impact and harm caused by hate crime; further notes that around a third of hate crimes in Scotland involved a victim who experienced the incident at their place of work or whilst undertaking duties as part of their occupation, most of whom were working in retail or other service industries, and that a quarter of recorded hate crimes had a police officer victim, and recognises that the impact on victims of hate crime can be traumatic and life changing.”

After debate, the amendment was agreed to ((DT) by division: For 64, Against 49, Abstentions 5).

Pauline McNeill moved amendment S6M-12855.4—

As an amendment to motion S6M-12550 in the name of Russell Findlay (Repealing the Hate Crime Act), leave out from “believes” to end and insert “recognises that the Hate Crime and Public Order (Scotland) Act 2021 was intended to improve protections for individuals and communities from hate, but has been let down by the chaotic implementation of it by the Scottish National Party administration; acknowledges the Scottish Government's failure to properly communicate the changes in the legislation, or to give adequate training to Police Scotland; requests that the Criminal Justice Committee carry out an urgent review into the operation of the Act, specifically the new provisions, and calls on the Scottish Government to urgently address the flaws in its implementation of the Act, to use its powers under section 12 of the Act to add the characteristic of sex as an aggravator and protected characteristic under the Act, and to review the recording of hate incident reporting to make sure that it is compliant with human rights law and prevents the recording of vexatious complaints.”

After debate, the amendment was disagreed to ((DT) by division: For 20, Against 97, Abstentions 1).

The motion was agreed to ((DT) by division: For 64, Against 29, Abstentions 25).

Accordingly, the Parliament agreed that—

That the Parliament believes that the Hate Crime and Public Order (Scotland) Act 2021, as supported by the majority of the Parliament, will provide greater protections for those who are targeted victims of hate crime; notes that the Act was developed following a review into hate crime by senior retired judge Lord Bracadale, who recommended specific legislation to recognise the impact and harm caused by hate crime; further notes that around a third of hate crimes in Scotland involved a victim who experienced the incident at their place of work or whilst undertaking duties as part of their occupation, most of whom were working in retail or other service industries, and that a quarter of recorded hate crimes had a police officer victim, and recognises that the impact on victims of hate crime can be traumatic and life changing.

3. Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12867—That the Parliament agrees—

(a) the following programme of business—

Tuesday 23 April 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Victims, Witnesses, and Justice Reform (Scotland) Bill

followed by Financial Resolution: Victims, Witnesses, and Justice Reform (Scotland) Bill

followed by Appointment of Members of the Standards Commission for Scotland

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 24 April 2024

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Home Affairs

followed by Stage 3 Proceedings: Children (Care and Justice) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

9.00 pm Decision Time

followed by Members' Business

Thursday 25 April 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

followed by Stage 3 Proceedings: Children (Care and Justice) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 30 April 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Abortion Services (Safe Access Zones) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 1 May 2024

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Wellbeing Economy, Net Zero and Energy; Finance and Parliamentary Business

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 2 May 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Transport

followed by Citizen Participation and Public Petitions Committee Debate: Petition PE1887: Create an Unborn Victims of Violence Act

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 22 April 2024, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.

Meghan Gallacher moved amendment 128647.1—

As an amendment to motion S6M-12867 in the name of George Adam (Business Programme), after—

“followed by Financial Resolution: Victims, Witnesses, and Justice Reform (Scotland) Bill”

insert—

“Ministerial Statement: Scottish Government Response to the Cass Review”.

After debate, the amendment was disagreed to ((DT) by division: For 53, Against 60, Abstentions 5).

The motion was agreed to.

4. Stage 1 Timetable: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12868—That the Parliament agrees that consideration of the Scottish Elections (Representation and Reform) Bill at stage 1 be completed by 28 June 2024.

The motion was agreed to.

5. Stage 2 Timetable: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12869—That the Parliament agrees that consideration of the Gender Representation on Public Boards (Amendment) (Scotland) Bill at stage 2 be completed by 3 May 2024.

The motion was agreed to.

6. Stage 2 Timetable: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12870—That the Parliament agrees that consideration of the Housing (Cladding Remediation) (Scotland) Bill at stage 2 be completed by 3 May 2024.

The motion was agreed to.

7. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12871—That the Parliament agrees that the Alcohol (Minimum Pricing) (Scotland) Act 2012 (Continuation) Order 2024 [draft] be approved.

The motion was agreed to (DT).

8. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12872—That the Parliament agrees that the Alcohol (Minimum Price per Unit) (Scotland) Amendment Order 2024 [draft] be approved.

The motion was agreed to ((DT) by division: For 88, Against 28, Abstentions 0).

9. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12873—That the Parliament agrees that the Legal Aid (Miscellaneous Amendment) (Scotland) Regulations 2024 [draft] be approved.

The motion was agreed to (DT).

10. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12874—That the Parliament agrees that the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2024 [draft] be approved.

The motion was agreed to (DT).

11. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12875—That the Parliament agrees that the National Smart Ticketing Advisory Board (Public Services Reform) (Scotland) Order 2024 [draft] be approved.

The motion was agreed to (DT).

12. Designation of Lead Committee: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12876—That the Parliament agrees that the Local Government, Housing and Planning Committee be designated as the lead committee, and that the Social Justice and Social Security Committee be designated as a secondary committee, in consideration of the Housing (Scotland) Bill at stage 1.

The motion was agreed to (DT).

13. Decision Time: The Parliament took decisions on items 2, 7, 8, 9, 10, 11, and 12 as noted above.

14. Celebrating Scotland's Iconic Scotch Whisky Industry: The Parliament debated S6M-11787 in the name of Ivan McKee—That the Parliament welcomes the reported £7.1 billion each year that is contributed in added value to the UK economy by the Scotch whisky industry through the production of high-quality and internationally successful brands, which are sold to 180 markets around the world; understands that 75% of the Scotch whisky industry's gross value added (GVA) is generated in Scotland, supporting 41,000 jobs and a further 25,000 across the UK; welcomes the over £2 billion of investments that have reportedly been made by the industry over the last five years; believes that the Scotch whisky industry plays a crucial role in Scotland's ambition to grow its exports, in attracting visitors from overseas to its world-leading visitor experiences, and in decarbonising operations in order to achieve net zero by 2045, and wishes everyone involved in Scotland's iconic Scotch whisky industry continued success as, it considers, they continue to play an integral role in communities throughout Scotland, including in the Glasgow Provan constituency.

15. Motion Without Notice: Ivan McKee moved without notice that, under Rule 8.14.3, the debate be extended by up to 30 minutes.

The motion was agreed to.

The meeting closed at 6.57 pm.

David McGill
Clerk of the Parliament
17 April 2024

Appendix

(Note: this Appendix does not form part of the Minutes)

Subordinate Legislation

Affirmative Instruments

The following instrument was laid before the Parliament on 17 April 2024 and is subject to the affirmative procedure—

Disability Assistance for Older People (Scotland) Regulations 2024 [draft]
laid under section 96(2) of the Social Security (Scotland) Act 2018

Legislative Consent Memorandum

The following memorandum was lodged on 17 April 2024—

Shirley-Anne Somerville, Cabinet Secretary for Social Justice: Supplementary
Legislative Consent Memorandum on the Data Protection and Digital
Information Bill (UK Parliament legislation) (LCM-S6-36b)

Other Documents

The following documents were laid before the Parliament on 17 April 2024 and are not subject to parliamentary procedure—

Nuclear Decommissioning Authority: Business Plan 1 April 2024 to 31 March 2027 (SG/2024/32) laid under Schedule 3 of the Energy Act 2004

Scottish Government Response to SCoSS Scrutiny Report on Disability Assistance for Older People (Scotland) Regulations (2024) (SG/2024/75) laid under Section 97(9)(a) of the Social Security (Scotland) Act 2018

Scottish Government Response to SCoSS Scrutiny Report on Technical Amendments to the Short-Term Assistance (STA) Provisions in the Disability Assistance for Older People (Scotland) Regulations (2024) (SG/2024/76) laid under Section 97(9)(a) of the Social Security (Scotland) Act 2018

Scottish Public Services Ombudsman: Compendium of Case Reports for April 2024 (SPSO/2024/04) laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

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