



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 79, Session 6

Meeting of the Parliament

Tuesday 8 February 2022

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

The meeting opened at 2.00 pm.

- 1. Time for Reflection:** Hazel Peters, College Student, Greenock, led Time for Reflection.
- 2. Topical Questions:** Questions were answered by a Cabinet Secretary and a Minister.
- 3. First Minister's Statement:** The First Minister (Nicola Sturgeon) made a statement and answered questions on Covid-19 Update.
- 4. A New Vision for Justice:** The Cabinet Secretary for Justice and Veterans (Keith Brown) moved S6M-03098—That the Parliament recognises that the new Vision for Justice enables a programme of work to transform the justice system to ensure that services are person centred and trauma informed; further recognises the need to work across public services, taking a whole-government approach, to improve outcomes for individuals and focus on prevention and early intervention, and making communities safer; acknowledges that there must be urgent action to improve the experiences of women and children and ensure that the voices of victims and survivors are heard and acted upon; acknowledges that, to address the causes of crime, any action must tackle socio-economic inequalities such as gender inequality, child poverty, mental ill health and addictions, and support individuals at the earliest opportunity to improve their life chances and reduce offending and reoffending, and acknowledges that, while there will always be a place for restricting people's liberty in society, there must be a safe and secure environment for those in custody, as well as those who work in prisons, and that the balance should be

shifted to ensure that the role of custody is used only when no alternative is appropriate, making greater use of alternative options in communities.

Jamie Greene moved amendment S6M-03098.3—

As an amendment to motion S6M-03098 in the name of Keith Brown (A New Vision for Justice), leave out from “recognises” to end and insert “notes the urgent, wide-ranging and chronic concerns raised by the Parliament’s Criminal Justice Committee in its recent report, Judged on progress: The need for urgent delivery on Scottish justice sector reforms; acknowledges that there have been worrying increases in violent and sexual crime in Scotland as evidenced by the 78% rise in sexual crimes over the last 10 years, and the rises in violent crime recorded so far this year adversely affecting women and children; believes that a number of factors resulting from Scottish Government policy decisions, including the presumption against short sentences, automatic early release from custody, and a concerted shift to custodial alternatives, have resulted in too many violent offenders evading custodial sentences; further believes that the Scottish Government’s strategy of sending fewer convicted offenders to prison and letting them out of prison earlier poses a risk to public safety; notes that prison officers are subject to unacceptable levels of physical and mental harm and abuse in Scottish prisons, which is fuelled by a failure to tackle illicit drugs and serious organised crime in prisons; further notes that the recorded quarterly number of police officers stands at 17,117, the lowest level since 2009; calls for Police Scotland to be afforded the necessary capital and resource budget that it clearly requested in submissions to the Criminal Justice Committee, which it states will ensure vital and necessary upgrades to infrastructure, the police estate, vehicles and ICT systems, allowing Police Scotland to ensure that violent criminals are caught, charged and successfully prosecuted; recognises that the current court backlog in Scotland could take at least five or more years to clear, leaving victims waiting years to get justice; notes with concern the growing breakdown of relations between the legal sector and the Scottish Government due to disagreements over legal aid fees, which may leave many without adequate access to justice and legal assistance; believes that non-custodial alternatives to sentencing must be meaningful, robust, and backed up by sufficient resources to command public confidence whilst delivering justice to the victims of crimes, which many do not currently believe to be the case; notes with disappointment the slow progress in reform to the dual role of the Lord Advocate, and regrets recent high profile cases of malicious prosecution, which have cost the taxpayer millions of pounds, and believes that the raft of measures to enhance the rights and voices of victims of crime and their families, as included in the proposed Victims, Criminal Justice and Fatal Accident Inquiries (Scotland) Bill, should be agreed by the Parliament as positive proposals to reset the balance of Scottish justice in favour of victims and their families.”

After debate, the amendment was disagreed to ((DT) by division: For 29, Against 93, Abstentions 0).

Pauline McNeill moved amendment S6M-03098.1—

As an amendment to motion S6M-03098 in the name of Keith Brown (A New Vision for Justice), insert at end “; understands that Scotland’s prisons have been characterised by overcrowding; notes that 27% of the Scottish prison population are remand prisoners, and that this highlights the need for reform; believes that conditions in prisons must be improved for both prisoners and staff; considers that offering robust and credible alternatives to custody will be a key part of the solution; regrets that women and children continue to be disproportionately impacted by court delays, and considers that clearing the court backlog, which currently stands at over 40,000 cases, and improving support for victims should be among the Scottish Government’s highest priorities for the justice system.”

After debate, the amendment was agreed to ((DT) by division: For 93, Against 29, Abstentions 0).

Liam McArthur moved amendment S6M-03098.2—

As an amendment to motion S6M-03098 in the name of Keith Brown (A New Vision for Justice), insert at end “, and urges the Scottish Government to publish a route map with milestones for increasing the provision of throughcare support and purposeful activity in prisons, the lack of which has increased the likelihood of people reoffending and causing damage to communities.”

After debate, the amendment was disagreed to ((DT) by division: For 25, Against 97, Abstentions 0).

The motion, as amended, was then agreed to ((DT) by division: For 93, Against 29, Abstentions 0).

Accordingly, the Parliament resolved— That the Parliament recognises that the new Vision for Justice enables a programme of work to transform the justice system to ensure that services are person centred and trauma informed; further recognises the need to work across public services, taking a whole-government approach, to improve outcomes for individuals and focus on prevention and early intervention, and making communities safer; acknowledges that there must be urgent action to improve the experiences of women and children and ensure that the voices of victims and survivors are heard and acted upon; acknowledges that, to address the causes of crime, any action must tackle socio-economic inequalities such as gender inequality, child poverty, mental ill health and addictions, and support individuals at the earliest opportunity to improve their life chances and reduce offending and reoffending; acknowledges that, while there will always be a place for restricting people’s liberty in society, there must be a safe and secure environment for those in custody, as well as those who work in prisons, and that the balance should be shifted to ensure that the role of custody is used only when no alternative is appropriate, making greater use of alternative options in communities; understands that Scotland’s prisons have been characterised by overcrowding; notes that 27% of the Scottish prison population are remand prisoners, and that this highlights the need for reform; believes that conditions in prisons must be improved for both prisoners

and staff; considers that offering robust and credible alternatives to custody will be a key part of the solution; regrets that women and children continue to be disproportionately impacted by court delays, and considers that clearing the court backlog, which currently stands at over 40,000 cases, and improving support for victims should be among the Scottish Government's highest priorities for the justice system.

**5. Committee Announcement:** Stuart McMillan, on behalf of the Delegated Powers and Law Reform Committee Committee, made an announcement on Inquiry into the use of the made affirmative procedure during the coronavirus pandemic.

**6. Revision to Business Programme:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-03133—That the Parliament agrees to the following revision to the programme of business for Wednesday 9 February 2022;

delete

followed by Scottish Government Debate: Nationality and Borders Bill (UK Legislation)

and insert

followed by Ministerial Statement: ScotRail - A New Beginning

after

followed by Scottish Parliamentary Corporate Body Motion: Members' Expenses Scheme

insert

followed by Standards, Procedures and Public Appointments Committee Debate: Standing Orders

The motion was agreed to.

**7. Motion without Notice:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved without notice that, under Rule 11.2.4, Decision Time be brought forward to 4.54 pm.

The motion was agreed to.

**8. Decision Time:** The Parliament took decisions on item 4 as noted above.

**9. Members' Business – Alex Cole-Hamilton: Future of the BBC:** The Parliament debated S6M-02995 in the name of Alex Cole-Hamilton— That the Parliament recognises what it sees as the uncertainty around the future funding model of the BBC, following recent UK Government remarks; understands that the people of Edinburgh Western value the content and output of the Corporation, from

educational resources to local radio, and what it sees as ground-breaking television production; recognises that the BBC employs over 1,200 people in Scotland, and notes the view that the principle of public service broadcasting should be defended.

**10. Motion without Notice:** Alex Cole-Hamilton 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 6.13 pm.

**David McGill**  
Clerk of the Parliament  
8 February 2022

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

**Committee Reports**

The following reports were published on 4 February 2022—

Delegated Powers and Law Reform Committee, 9th Report, 2022 (Session 6):  
Legislative Consent Memorandum: delegated powers relevant to the  
Professional Qualifications Bill (SP Paper 100)

Delegated Powers and Law Reform Committee, 10th Report, 2022 (Session  
6): Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill:  
After Stage 2 (SP Paper 102)

The following reports were published on 7 February 2022—

Net Zero, Energy and Transport Committee, 1st Report, 2022 (Session 6):  
Subordinate Legislation considered by the Committee on 1 February 2022  
(SP paper 105)

Net Zero, Energy and Transport Committee, 2nd Report, 2022 (Session 6):  
Subordinate Legislation considered by the Committee on 25 January 2022  
(SP paper 106)

Net Zero, Energy and Transport Committee, 3rd Report, 2022 (Session 6):  
Subordinate Legislation considered by the Committee on 18 January 2022  
(SP paper 107)

The following reports were published on 8 February 2022—

Health, Social Care and Sport Committee, 1st Report, 2022 (Session 6):  
Inquiry into perinatal mental health (SP Paper 104)

Equalities, Human Rights and Civil Justice Committee, 2nd Report, 2022  
(Session 6): The Maximum Number of Judges (Scotland) Order 2022 [draft]  
(SP Paper 108)

The following report will be published on 9 February 2022—

Economy and Fair Work Committee, 3rd Report, 2022 (Session 6): Report on  
the Legislative Consent Memorandum for the Subsidy Control Bill (SP Paper  
103)

**Legislative Consent Memorandum**

The following memorandum was lodged on 7 February 2022—

Michael Matheson, Cabinet Secretary for Net Zero, Energy and Transport:  
Legislative Consent Memorandum on the High Speed Rail (Crewe -  
Manchester) Bill (UK Parliament legislation) (LCM-S6-15)

## **Subordinate Legislation**

### **Negative Instruments**

The following instrument was laid before Parliament on 7 February 2022 and is subject to the negative procedure—

Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (Scotland) Regulations 2022 (SSI 2022/42)  
laid under section 176(3) of the Social Security Contributions and Benefits Act 1992

### **Other Documents**

The following documents were laid before the Parliament on 8 February 2022 and are not subject to parliamentary procedure—

**Scottish Canals - Annual Report & Accounts 2020/21 SG/2022/7** laid under Section 24(3) of the Transport Act 1962 and Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

**The 2020/21 audit of Scottish Canals SG/2022/20** laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

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