



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 109, Session 6

Meeting of the Parliament

Wednesday 11 May 2022

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

The meeting opened at 2.00 pm.

1. Portfolio Questions: Questions on Justice and Veterans and then on Finance and the Economy were answered by Cabinet Secretaries and Ministers.

2. Ferry Problems: Graham Simpson moved S6M-04319—That the Parliament believes that the way the Scottish Government has been running ferry services has been a scandal; calls on the Scottish Government to say why it awarded the contract for ferries 801 and 802 to Ferguson Marine Engineering Limited against the advice of its own experts; is concerned about why 15 stage payments were agreed for each ferry; notes concerns that the deal may have broken EU state aid rules; further notes concerns that the lack of documentary evidence to explain the contract award could be in breach of the law; is disappointed that the Scottish Government failed to listen to the experienced workforce who had concerns about the management of the yard; believes that the yard could have survived without the orders for vessels 801 and 802; agrees with the view of the majority of people in Scotland who think that the Scottish National Party administration has done a bad job of running ferries; is concerned that this will contribute to island depopulation, and calls on the Scottish Government to spell out how it plans to run and procure ferry services in the future.

The Minister for Transport (Jenny Gilruth) moved amendment S6M-04319.2—

As an amendment to motion S6M-04319 in the name of Graham Simpson (Ferry Problems), leave out from "the way the" to end and insert "ferry services provide an essential lifeline to island and remote rural communities and their economies; acknowledges that the delays and cost overruns to vessels 801 and 802 are

regrettable; notes the findings of the Audit Scotland report, that all of its recommendations have been accepted, and that improvements, including changes to procurement practices, have already been made; recognises the progress that is being made at Ferguson Marine under the recently appointed chief executive, including the milestone reached at the end of April 2022 with the fitting of Hull 802's bow unit, with both dual fuel vessels being scheduled for delivery in 2023; further recognises the role that Caledonian Maritime Assets Ltd is playing in that progress, not least through the involvement of an experienced secondee in Ferguson Marine's senior management team, and welcomes that the Scottish Government saved Ferguson Marine, the last commercial shipyard on the Clyde, from closure, rescuing more than 300 jobs, with over 400 people currently employed at the yard, and ensuring that two new ferry vessels will be delivered to maintain and enhance connectivity to Scotland's islands."

After debate, amendment S6M-04319.2 was agreed to ((DT) by division: For 65, Against 54, Abstentions 0).

Neil Bibby moved amendment S6M-04319.1—

As an amendment to motion S6M-04319 in the name of Graham Simpson (Ferry Problems), insert at end ", and further calls on the Scottish Government to waive any non-disclosure requirements preventing public and parliamentary scrutiny of the procurement of vessels 801 and 802."

After debate, amendment S6M-04319.1 was disagreed to ((DT) by division: For 53, Against 66, Abstentions 0).

The motion, as amended, was agreed to ((DT) by division: For 64, Against 56, Abstentions 0).

Accordingly, the Parliament resolved—

That the Parliament believes that ferry services provide an essential lifeline to island and remote rural communities and their economies; acknowledges that the delays and cost overruns to vessels 801 and 802 are regrettable; notes the findings of the Audit Scotland report, that all of its recommendations have been accepted, and that improvements, including changes to procurement practices, have already been made; recognises the progress that is being made at Ferguson Marine under the recently appointed chief executive, including the milestone reached at the end of April 2022 with the fitting of Hull 802's bow unit, with both dual fuel vessels being scheduled for delivery in 2023; further recognises the role that Caledonian Maritime Assets Ltd is playing in that progress, not least through the involvement of an experienced secondee in Ferguson Marine's senior management team, and welcomes that the Scottish Government saved Ferguson Marine, the last commercial shipyard on the Clyde, from closure, rescuing more than 300 jobs, with over 400 people currently employed at the yard, and ensuring that two new ferry vessels will be delivered to maintain and enhance connectivity to Scotland's islands.

3. Tackling Violent Crime: Jamie Greene moved S6M-04320—That the Parliament notes with concern that the number of police-recorded violent crimes is at its highest level in a decade; further notes that Scottish Government decisions have contributed to this rise by underfunding the police, which has led to full-time police officer numbers being at their lowest level since 2008; recognises that the Scottish Government's justice strategy is failing victims of crime, as is evident through the 931,991 hours of community sentences that have been written off or not yet carried out; notes that organised crime and domestic abuse contribute to a deteriorating picture of crimes of violence in Scotland, and urges the Scottish Government to take action to address this; recognises that the Scottish Government's justice strategy is failing to keep the public safe by diverting dangerous criminals away from prison, instead allowing them to carry out inadequate non-custodial alternatives; believes that proposals such as those outlined in the Scottish Government's consultation on bail and release from custody arrangements, which include proposals to automatically release offenders after serving just a third of their prison sentence, do not address the shift in balance in the justice system away from victims, and further distil a lack of confidence in sentencing, and calls, therefore, on the Scottish Government to change strategy by acknowledging that punishment remains an important part of the criminal justice system, and to support proposals contained in the proposed Victims, Criminal Justice and Fatal Accident Inquiries (Scotland) Bill, such as the introduction of Michelle's Law and Suzanne's Law, to improve the landscape of support for the victims of crime, which it believes is currently letting down too many in society.

The Cabinet Secretary for Justice and Veterans (Keith Brown) moved amendment S6M-04320.2—

As an amendment to motion S6M-04320 in the name of Jamie Greene (Tackling Violent Crime), leave out from "notes with concern" to end and insert "recognises that a majority of the Parliament supported the justice vision and strategy on 8 February 2022; further recognises the need to focus on prevention and early intervention, taking a whole-government approach to reduce crime and make communities safer; supports making services person centred and trauma informed, in line with the aims set out in the justice vision; believes that improving support for victims and survivors should be among the highest priorities for the justice system; notes that recorded crime is at one of the lowest levels since 1974; acknowledges that there is more to do to address violent crime and improve the experiences of women in communities and within the justice system; welcomes the sustained investment in the justice system in 2022-23; believes that, while there will always be a place for restricting people's liberty in society, the balance should be shifted to ensure that custody is used only when no alternative is appropriate, making greater use of alternative options in communities, and contrasts this progressive and evidence-based approach with the strategy adopted by the UK Government."

After debate, amendment S6M-04320.2 was agreed to ((DT) by division: For 69, Against 29, Abstentions 21). As a result, amendment S6M-04320.1 was pre-empted.

Pauline McNeill moved amendment S6M-04320.1—

As an amendment to motion S6M-04320 in the name of Jamie Greene (Tackling Violent Crime), leave out from "recognises that the Scottish Government's justice strategy is failing victims" to end and insert "notes the impact of the COVID-19 pandemic on the criminal justice system, but considers the substantial court backlog, which, according to the latest figures from the Scottish Courts and Tribunals Service, currently stands at 43,016, and issues in the delivery of community justice to be the consequences of long-term policy failures of the current Scottish Government; notes that organised crime and domestic abuse contribute to a deteriorating picture of crimes of violence in Scotland, and urges the Scottish Government to take action to address this; believes that sentencing guidelines and policy should be clear and understandable to victims, their families and the public; recognises the role of custodial sentences in the justice system with regard to serious and violent crime, and further recognises that custody should not be a substitute for effective mental health, drug or alcohol services; calls on the Scottish Government to consider proposals which seek to improve the landscape of support for the victims of crime, such as Michelle's Law and Suzanne's law; believes that no victim of serious, violent or sexual crime should face barriers when accessing justice, and calls upon the Scottish Government to bring forward proposals to ensure that every victim in cases involving rape, attempted rape or serious sexual offences can access non-means-tested advice and legal representation from the initial stage; notes the success of the Scottish Violence Reduction Unit, established by a Labour-led administration in 2006, and understands that the model of the Scottish Violence Reduction Unit is now being followed in other parts of the UK."

The motion, as amended, was agreed to ((DT) by division: For 69, Against 29, Abstentions 20).

Accordingly, the Parliament resolved—

That the Parliament recognises that a majority of the Parliament supported the justice vision and strategy on 8 February 2022; further recognises the need to focus on prevention and early intervention, taking a whole-government approach to reduce crime and make communities safer; supports making services person centred and trauma informed, in line with the aims set out in the justice vision; believes that improving support for victims and survivors should be among the highest priorities for the justice system; notes that recorded crime is at one of the lowest levels since 1974; acknowledges that there is more to do to address violent crime and improve the experiences of women in communities and within the justice system; welcomes the sustained investment in the justice system in 2022-23; believes that, while there will always be a place for restricting people's liberty in society, the balance should be shifted to ensure that custody is used only when no alternative is appropriate, making greater use of alternative options in communities, and contrasts this progressive and evidence-based approach with the strategy adopted by the UK Government.

4. Business Programme: Stephen Kerr, on behalf of the Parliamentary Bureau, moved S6M-04345—That the Parliament agrees—

(a) the following programme of business—

Tuesday 17 May 2022

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Supporting Scotland's Islands on Their Journey to Become Carbon Neutral

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 18 May 2022

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Net Zero, Energy and Transport

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 19 May 2022

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: Rural Affairs and Islands

followed by Scottish Government Debate: Long COVID

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 24 May 2022

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 25 May 2022

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government

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 26 May 2022

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: Constitution, External Affairs and Culture

followed by Scottish Government Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 16 May 2022, 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.

The motion was agreed to.

5. Approval of SSI: Stephen Kerr, on behalf of the Parliamentary Bureau, moved S6M-04346—That the Parliament agrees that the Local Heat and Energy Efficiency Strategies (Scotland) Order 2022 [draft] be approved.

The motion was agreed to (DT).

6. Approval of SSI: The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison) moved S6M-04300—That the Parliament agrees that the Private Landlord Registration (Modification) (Scotland) Order 2022 [draft] be approved.

The motion was agreed to (DT).

7. Approval of SSI: The Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine (Neil Gray) moved S6M-04301—That the Parliament agrees that the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Homes for Ukraine Sponsorship Scheme) (Scotland) Amendment Order 2022 [draft] be approved.

The motion was agreed to (DT).

8. Decision Time: The Parliament took decisions on items 2, 3, 5, 6 and 7 as noted above.

9. LGBTQ+ People's Experiences of Alcohol Services in Scotland: The Parliament debated S6M-03631 in the name of Emma Roddick—That the Parliament welcomes the publication of the report, What are LGBTQ+ people's experiences of alcohol services in Scotland? A qualitative study of service users and service providers, which was carried out by Prof Carol Emslie and colleagues at Glasgow Caledonian University, and funded by Scottish Health Action on Alcohol Problems (SHAAP); understands that the report highlights significant alcohol-related health inequalities experienced by LGBTQ+ people in Scotland, including in the Highlands and Islands region; further understands that people who identify as LGBTQ+ are more likely to experience problems with alcohol; considers that the central role of alcohol in the community, combined with barriers to accessing treatment and support, are the key areas that surfaced with regards to alcohol misuse; notes the calls for alcohol services to demonstrate appropriate inclusivity and diversity policies, LGBTQ+ training, and work towards the LGBT Charter; further notes the view that alcohol services need stronger links to mental health services, and notes the recommendations to policy makers that LGBTQ+ people should be considered in the forthcoming Alcohol Treatment Guidelines, that alcohol-free spaces for LGBTQ+ people should be supported, and that the Parliament should show leadership on LGBTQ+ issues to help tackle the stigma that people face.

The meeting closed at 6.26 pm.

David McGill
Clerk of the Parliament
11 May 2022

Appendix

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

Committee Reports

The following report was published on 10 May 2022—

Delegated Powers and Law Reform Committee, 28th Report, 2022 (Session 6): Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 10 May 2022 (SP Paper 171)

Subordinate Legislation

Affirmative Instruments

The following affirmative instrument was withdrawn and re-laid before the Parliament on 11 May 2022—

Surrender of Offensive Weapons (Compensation) (Scotland) Regulations 2022
[draft]

laid under section 68(4) of the Offensive Weapons Act 2019

Negative Instruments

The following instrument was laid before the Parliament on 11 May 2022 and is subject to the negative procedure—

Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2022 (SSI 2022/161)

laid under section 113(3) of the Local Government Finance Act 1992

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