



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 33, Session 6

Meeting of the Parliament

Wednesday 29 September 2021

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

The meeting opened at 2.00 pm.

**1. Portfolio Questions:** Questions on Health and Social Care and then on Social Justice, Housing and Local Government were answered by Cabinet Secretaries and Ministers.

**2. Halting the COVID-19 Vaccine Certification Scheme:** Douglas Ross moved S6M-01415—That the Parliament calls on the Scottish Government not to proceed with its plans to introduce a COVID-19 vaccine certification scheme.

The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney) moved amendment S6M-01415.2—

As an amendment to motion S6M-01415 in the name of Douglas Ross (Halting the COVID-19 Vaccine Certification Scheme), leave out from “calls” to end and insert “commends the extraordinary effort of vaccination teams throughout Scotland, which means that, as of 24 September 2021, 86% of eligible over-18-year-olds were double-vaccinated against COVID-19; recognises that case numbers remain too high and that action is needed from all sectors to ensure that baseline COVID-19 measures are rigorously implemented; acknowledges that a number of other countries have introduced COVID-19 certification schemes, that the Welsh Government has plans to introduce a vaccine certification scheme in Wales, and that it is part of winter contingency planning by the UK Government for England; believes that, in line with the Scottish Government’s strategic intent, a COVID-19 vaccine certification scheme can provide a targeted means to maximise Scotland’s ability to keep certain higher-

risk settings open, while reducing the impact of transmission and encouraging the remaining sections of the population, including those who may be vaccine hesitant, to get vaccinated; recognises that the Parliament has already endorsed a certification scheme; supports the implementation of a COVID-19 vaccine certification scheme; agrees that the scheme will apply to late night venues between the hours of 00:00 and 05:00 with music, alcohol and dancing, indoor unseated live events with 500 or more attendees, outdoor unseated live events with 4,000 or more attendees, and all events with 10,000 or more attendees; notes that measures are being taken to ensure digital inclusivity and to ensure that disabled people are not disproportionately impacted, and agrees that this scheme will be kept under review.”

After debate, the amendment was agreed to ((DT) by division: For 67, Against 52, Abstentions 1).

Daniel Johnson moved amendment S6M-01415.1—

As an amendment to motion S6M-01415 in the name of Douglas Ross (Halting the COVID-19 Vaccine Certification Scheme), insert at end “; recognises that the impact of certification on behaviours that reduce transmission is uncertain according to SAGE; notes that the scheme does not include proof of a negative test as an alternative to certification; raises concern about the inadequate consultation, published detail or lack of support for the sectors impacted by the introduction of vaccine certification; regrets that contact tracing in Scotland has repeatedly missed the World Health Organization’s standard of tracing 80% of close contacts within 72 hours, and calls on the Scottish Government to focus on urgently resourcing Test and Protect and increasing vaccine uptake by improving access to vaccination clinics.”

After debate, the amendment was disagreed to ((DT) by division: For 52, Against 67, Abstentions 0).

The motion as amended was then agreed to ((DT) by division: For 67, Against 53, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament commends the extraordinary effort of vaccination teams throughout Scotland, which means that, as of 24 September 2021, 86% of eligible over-18-year-olds were double-vaccinated against COVID-19; recognises that case numbers remain too high and that action is needed from all sectors to ensure that baseline COVID-19 measures are rigorously implemented; acknowledges that a number of other countries have introduced COVID-19 certification schemes, that the Welsh Government has plans to introduce a vaccine certification scheme in Wales, and that it is part of winter contingency planning by the UK Government for England; believes that, in line with the Scottish Government’s strategic intent, a COVID-19 vaccine certification scheme can provide a targeted means to maximise Scotland’s ability to keep certain higher-risk settings open, while reducing the impact of transmission and encouraging the remaining sections of the population, including those who may be vaccine hesitant, to get vaccinated; recognises that the Parliament has already endorsed a certification scheme; supports the implementation of a COVID-19 vaccine certification scheme; agrees that the

scheme will apply to late night venues between the hours of 00:00 and 05:00 with music, alcohol and dancing, indoor unseated live events with 500 or more attendees, outdoor unseated live events with 4,000 or more attendees, and all events with 10,000 or more attendees; notes that measures are being taken to ensure digital inclusivity and to ensure that disabled people are not disproportionately impacted, and agrees that this scheme will be kept under review.

**3. Legal Right to Recovery:** Sandesh Gulhane moved S6M-01416—That the Parliament believes that record drug deaths in Scotland are a humanitarian crisis; further believes that progress in the rehabilitation and treatment of addiction in Scotland has been too slow; calls for a legal right to recovery to tackle Scotland's ongoing drug deaths crisis with the urgency that it deserves; notes that the possession of class A drugs is a serious offence and should not be dealt with through warnings that seek "not criminalising" offenders; believes that the content of the Lord Advocate's recent Ministerial Statement deserves proper consultation, and calls for the Scottish Government to set aside time to debate this matter in full.

The Minister for Drugs Policy (Angela Constance) moved amendment S6M-01416.3—

As an amendment to motion S6M-01416 in the name of Sandesh Gulhane (Legal Right to Recovery), leave out from "further" to end and insert "and public health emergency; offers its condolences to the thousands of families across Scotland who are grieving the loss of loved ones to drugs; believes that the Scottish Parliament and the UK Parliament should consider any proposal that is based in evidence and that can play a part in saving lives, including the right to recovery and harm reduction approaches; recognises that addressing drugs misuse must primarily be taken forward as a public health matter; supports that the £250 million investment to help address drugs deaths will support residential rehabilitation, community rehabilitation, Medication-Assisted Treatment standards, and a range of approaches to reduce harm; understands that prosecution policy is decided independently by the Lord Advocate and is not set by the Scottish Government or the Parliament; notes that experiences from other nations such as Portugal show that diversion from prosecution for drug possession towards support or treatment services can be an opportunity to ensure better outcomes for some of the most vulnerable people in society."

Claire Baker moved amendment S6M-01416.2—

As an amendment to motion S6M-01416 in the name of Sandesh Gulhane (Legal Right to Recovery), leave out from "calls for a legal right" to end and insert "welcomes the Lord Advocate's recent Ministerial Statement regarding diversion from prosecution and the expansion of the use of Recorded Police Warnings; recognises the urgent need to ensure that individuals can access treatment and recovery services when they need them and will consider all proposals that reduce harm and support rights to access treatment; recommends that the Scottish Government urgently considers all options within the existing legal framework to support the delivery of safe consumption facilities, alongside expanded community resources that help people avoid substance misuse and improve access to residential rehabilitation and

treatment, and seeks assurances that Police Scotland is trained and supported to respect the nationwide roll-out of the provision of naloxone.”

After debate, amendment S6M-01416.3 was agreed to ((DT) by division: For 67, Against 32, Abstentions 21). As a result, amendment S6M-01416.2 was pre-empted.

The motion as amended was then agreed to ((DT) by division: For 92, Against 28, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament believes that record drug deaths in Scotland are a humanitarian crisis and public health emergency; offers its condolences to the thousands of families across Scotland who are grieving the loss of loved ones to drugs; believes that the Scottish Parliament and the UK Parliament should consider any proposal that is based in evidence and that can play a part in saving lives, including the right to recovery and harm reduction approaches; recognises that addressing drugs misuse must primarily be taken forward as a public health matter; supports that the £250 million investment to help address drugs deaths will support residential rehabilitation, community rehabilitation, Medication-Assisted Treatment standards, and a range of approaches to reduce harm; understands that prosecution policy is decided independently by the Lord Advocate and is not set by the Scottish Government or the Parliament; notes that experiences from other nations such as Portugal show that diversion from prosecution for drug possession towards support or treatment services can be an opportunity to ensure better outcomes for some of the most vulnerable people in society.

**4. Business Programme:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01438—That the Parliament agrees—

(a) the following programme of business—

Tuesday 5 October 2021

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* First Minister’s Statement: COVID-19 Update

*followed by* Ministerial Statement: Covid Recovery Strategy

*followed by* Scottish Government Debate: Legislative Consent to the Environment Bill

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 6 October 2021

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Justice and Veterans; Finance and the Economy

*followed by* Scottish Government Debate: Scotland in the World - Championing Progressive Values

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 7 October 2021

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* Ministerial Statement: Heat in Buildings Strategy

*followed by* Stage 3 Proceedings: Carer's Allowance Supplement (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 26 October 2021

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* First Minister's Statement: COVID-19 Update

*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 27 October 2021

2.00 pm Parliamentary Bureau Motions

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

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 28 October 2021

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 Business

*followed by Parliamentary Bureau Motions*

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 4 October 2021, 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.

After debate, the motion was agreed to (by division: For 69, Against 52, Abstentions 0).

**5. Approval of SSI:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01439—That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 17) Regulations 2021 (SSI 2021/301) be approved.

The motion was agreed to (DT).

**6. Approval of SSI:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01440—That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2021 (SSI 2021/307) be approved.

The motion was agreed to (DT).

**7. Approval of SSI:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01441—That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 19) Regulations 2021 (SSI 2021/319) be approved.

The motion was agreed to (DT).

**8. Substitution on Committees:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01442—That the Parliament agrees that—

Colin Smyth be appointed as the Scottish Labour Party substitute on the Rural Affairs, Islands and Natural Environment Committee.

The motion was agreed to (DT).

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

**10. Alleviating Poverty Associated with the Purchase of School Uniforms in Scotland:** The Parliament debated S6M-01065 in the name of Fulton MacGregor—That the Parliament recognises and praises the continuing work of Cool School Uniforms, which is based in Coatbridge, in ensuring that many children across

Coatbridge and Chryston are able to obtain warm, clean and comfortable school uniforms; notes that research by Dr Rachel Shanks at the University of Aberdeen has found that almost 20% of secondary schools in Scotland specify an exclusive supplier for their uniform, restricting parents and carers choices; understands that it has been suggested that regular reviews of exclusive supply arrangements of uniform items should take place in order to reduce costs; acknowledges the challenges that parents and carers face in ensuring that their children continue to be clothed appropriately for school, especially as uniforms become more expensive due to what it sees as exclusivity and rising prices and in the face of austerity; believes that the Scottish Government-Green Party cooperation deal has pledged to bring forward statutory guidance for schools to increase the use of generic items of uniform; welcomes this pledge, and notes the view that this and any other steps to alleviate poverty associated with the purchase of school uniforms should be brought forward as soon as practically possible.

The meeting closed at 6.22 pm.

**David McGill**  
Clerk of the Parliament  
29 September 2021



## **Appendix**

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

### **Committee Reports**

The following reports were published on 29 September 2021—

Net Zero, Energy and Transport Committee, 1st Report, 2021 (Session 6):  
Report on Supplementary Legislative Consent Memorandum (LCM) on the UK  
Environment Bill (SP Paper 20)

Delegated Powers and Law Reform Committee, 8th Report, 2021 (Session 6):  
Subordinate Legislation considered by the Delegated Powers and Law  
Reform Committee on 28 September 2021 (SP Paper 22)

### **Subordinate Legislation**

#### **Made Affirmative Instruments**

The following instrument was laid before the Parliament on 29 September 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel and Operator Liability)  
(Scotland) Amendment (No. 2) Regulations 2021 (SSI 2021/343)  
laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

#### **Other Documents**

The following documents were laid before the Parliament on 29 September 2021 and are not subject to parliamentary procedure—

**Scottish Parliamentary Corporate Body Annual Report and Accounts 2020-21  
SG/2021/234** laid under Section 22(5) of the Public Finance and Accountability  
(Scotland) Act 2000

**Care Inspectorate: Weekly Care Home deaths report – periods up to 26  
September 2021 SG/2021/249** laid under Section 79A(3) of the Public Services  
Reform (Scotland) Act 2010

**Care Inspectorate: Fortnightly report to the Scottish Parliament on Care  
Inspectorate inspections – Laid before Parliament 29 September 2021  
SG/2021/248** laid under Section 53A of the Public Services Reform (Scotland) Act  
2010

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