



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 60, Session 6

Meeting of the Parliament

Wednesday 15 December 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 Social Justice, Housing and Local Government were answered by Cabinet Secretaries and Ministers.
- 2. Ministerial Statement:** The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee) made a statement and answered questions on Update on Dalzell Historical Industrial Transaction.
- 3. Backing the North East Economy:** Liam Kerr moved S6M-02552—That the Parliament recognises that prematurely ending the oil and gas industry would decimate the economy of the north east of Scotland, and believes that it is irresponsible and counter to Scotland’s net zero ambitions to undermine the future of the industry and the jobs of tens of thousands of north east workers that rely on it.

The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson) moved amendment S6M-02552.3—

As an amendment to motion S6M-02552 in the name of Liam Kerr (Backing the North East Economy), leave out from “prematurely” to end and insert “the global climate emergency and the aims set out in the Glasgow Climate Pact require all countries to achieve the fastest possible Just Transition for the oil and gas sector; reaffirms that, for such a transition to be just, it must support the 70,000 workers whose employment depends on the sector in Scotland; understands that the growing domestic and global renewable industry provides a major employment

opportunity for Scotland; welcomes the Scottish Budget for 2022-23, which will see almost £2 billion invested in tackling the climate emergency, including the first £20 million of the £500 million Just Transition Fund for the north east and Moray, and calls on the UK Government to match this investment in the industries and jobs of the future.”

After debate, the amendment was agreed to ((DT) by division: For 66, Against 52, Abstentions 0).

Colin Smyth moved amendment S6M-02552.2—

As an amendment to motion S6M-02552 in the name of Liam Kerr (Backing the North East Economy), insert at end “; further believes that the Scottish Government must significantly step up its efforts to support the retention and creation of energy jobs in Scotland, and calls on the Scottish Government to set out a clear industrial plan, in consultation with trade unions and workers, particularly from the oil and gas sector, to secure a Just Transition for workers across Scotland.”

After debate, the amendment was agreed to (DT).

The motion, as amended, was then agreed to ((DT) by division: For 84, Against 34, Abstentions 0).

Accordingly, the Parliament resolved—

That the Parliament recognises that the global climate emergency and the aims set out in the Glasgow Climate Pact require all countries to achieve the fastest possible Just Transition for the oil and gas sector; reaffirms that, for such a transition to be just, it must support the 70,000 workers whose employment depends on the sector in Scotland; understands that the growing domestic and global renewable industry provides a major employment opportunity for Scotland; welcomes the Scottish Budget for 2022-23, which will see almost £2 billion invested in tackling the climate emergency, including the first £20 million of the £500 million Just Transition Fund for the north east and Moray, calls on the UK Government to match this investment in the industries and jobs of the future; further believes that the Scottish Government must significantly step up its efforts to support the retention and creation of energy jobs in Scotland, and calls on the Scottish Government to set out a clear industrial plan, in consultation with trade unions and workers, particularly from the oil and gas sector, to secure a Just Transition for workers across Scotland.

4. Ending the Not Proven Verdict: Jamie Greene moved S6M-02553—That the Parliament believes that the current three verdict judicial system in Scotland’s criminal courts is not fit for purpose, as it frequently does not deliver justice for the victims of many heinous crimes, including gender-based violence, rape and domestic abuse, and therefore calls for the removal of the not proven verdict.

The Cabinet Secretary for Justice and Veterans (Keith Brown) moved amendment S6M-02553.3—

As an amendment to motion S6M-02553 in the name of Jamie Greene (Ending the Not Proven Verdict), leave out from “believes” to end and insert “recognises concerns held by many about the current three verdict system, including issues raised in independent jury research that suggest jurors may have inconsistent views on the meaning and effect of the not proven verdict; further recognises the concerns raised by the complainers of particularly heinous crimes, including gender-based violence, rape and domestic abuse, that the not proven verdict is more often applied in crimes of rape and attempted rape compared to other crimes; notes the strong case that can be made for the abolition of the not proven verdict; further notes that the Scottish jury system is a complex, inter-related system and that verdicts must be considered alongside other key aspects of jury size, majority and corroboration, and against the background of wider, related work, including the recommendations of the Lord Justice Clerk’s review on the management of sexual offence cases, and encourages all those with an interest to consider and respond to the current Scottish Government consultation on the not proven verdict and related reforms.”

After debate, the amendment was agreed to ((DT) by division: For 91, Against 27, Abstentions 0).

Pauline McNeill moved amendment S6M-02553.1—

As an amendment to motion S6M-02553 in the name of Jamie Greene (Ending the Not Proven Verdict), insert at end “; recognises that many survivors of sexual crimes find their experiences of the justice system to be re-traumatising, and believes that improving the experience of victims will require improvements throughout the criminal justice process and that this must start with clearing the backlog of court cases, which disproportionately affects access to justice for women and children, as a priority.”

After debate, the amendment was agreed to (DT).

The motion, as amended, was then agreed to ((DT) by division: For 92, Against 26, Abstentions 0).

Accordingly, the Parliament resolved—

That the Parliament recognises concerns held by many about the current three verdict system, including issues raised in independent jury research that suggest jurors may have inconsistent views on the meaning and effect of the not proven verdict; further recognises the concerns raised by the complainers of particularly heinous crimes, including gender-based violence, rape and domestic abuse, that the not proven verdict is more often applied in crimes of rape and attempted rape compared to other crimes; notes the strong case that can be made for the abolition of the not proven verdict; further notes that the Scottish jury system is a complex, inter-related system and that verdicts must be considered alongside other key aspects of jury size, majority and corroboration, and against the background of wider, related work, including the

recommendations of the Lord Justice Clerk's review on the management of sexual offence cases, encourages all those with an interest to consider and respond to the current Scottish Government consultation on the not proven verdict and related reforms; recognises that many survivors of sexual crimes find their experiences of the justice system to be re-traumatising, and believes that improving the experience of victims will require improvements throughout the criminal justice process and that this must start with clearing the backlog of court cases, which disproportionately affects access to justice for women and children, as a priority.

5. Motion without Notice: The Minister for Parliamentary Business (George Adam) moved without notice that, under Rule 11.2.5, decisions on items 3, 4 and items not yet considered at this meeting, would be taken at a future meeting of the Parliament.

6. Protecting Rural Bus Services: The Parliament debated S6M-02426 in the name of Mark Ruskell—That the Parliament recognises the importance of local bus services, which are often a lifeline that enables communities to access essential services; acknowledges that rural communities are especially vulnerable to the loss of routes, such as the X53 service that connects Clackmannanshire villages to Kinross and Stirling; recognises the impact of the COVID-19 pandemic on patronage levels, and the impact of driver shortages on service provision but also notes that the rollout of the Concessionary Bus Travel Scheme for under-22s in January 2022 is likely to increase bus patronage, and further notes calls on bus operators to meet the needs of all communities they serve by withdrawing planned service cuts.

The meeting closed at 6.48 pm.

David McGill
Clerk of the Parliament
15 December 2021

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

Committee Reports

The following report was published on 14 December 2021—

Delegated Powers and Law Reform Committee, 21st Report, 2021 (Session 6): Report on Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill: Stage 1 (SP Paper 67)

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 15 December 2021 and is subject to the made affirmative procedure—

Public Health (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/470)
laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

Affirmative Instruments

The following instruments were laid before the Parliament on 15 December 2021 and are subject to the affirmative procedure—

Climate Change (Nitrogen Balance Sheet) (Scotland) Regulations 2022 [draft]
laid under section 96(4) of the Climate Change (Scotland) Act 2009

Deposit and Return Scheme for Scotland Amendment Regulations 2022 [draft]
laid under section 96(4) of the Climate Change (Scotland) Act 2009

Other Documents

The following documents were laid before the Parliament on 15 December 2021 and are not subject to parliamentary procedure—

The United Kingdom Sports Council: Grant-in-Aid and National Lottery Distribution Fund, Annual Report and Accounts for the year ended 31 March 2021 SG/2021/318 laid under Section 88 of the Scotland Act 1998

Royal Botanic Garden Edinburgh Annual Report and Consolidated Accounts For the year ended 31 March 2021 SG/2021/340 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

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