



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 11, Session 6

Meeting of the Parliament

Thursday 10 June 2021

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

The meeting opened at 12.00 pm.

1. First Minister's Questions: Questions were answered by the First Minister (Nicola Sturgeon).

2. Portfolio Questions: Questions on Health and Social Care were answered by a Cabinet Secretary and Ministers.

3. Justice: Recover, Renew, Transform: The Cabinet Secretary for Justice (Keith Brown) moved S6M-00294—That the Parliament commends the commitment, dedication and innovation of justice partners, staff and key stakeholders in ensuring that the justice system can recover, renew and transform as Scotland emerges from the COVID-19 pandemic, while looking towards reform that delivers a faster, fairer and more effective system; acknowledges key challenges and the ongoing need for measures to both continue to protect public health and to support the recovery of the justice system as it emerges from this most challenging period; recognises the investment of additional resources in helping to address the impact and encourages continued collaboration to ensure that the interests of victims and those who rely on the justice system remain at the heart of necessary reforms; recognises the inventive solutions that have been adopted, including the use of cinemas as remote jury centres, moving civil business online and enabling prisoners to maintain family contact through virtual visits, but, as in other jurisdictions worldwide, recognises the impact of the pandemic on the delivery of justice in Scotland on victims, witnesses and those accused of criminal offences, including those on remand, indicating the need for a clear focus on addressing the backlogs in court business and ensuring cases are

progressed within a reasonable time period, all in order to deliver a modern justice system fit for future challenges.

Jamie Greene moved amendment S6M-00294.1—

As an amendment to motion S6M-00294 in the name of Keith Brown (Justice: Recover, Renew, Transform), insert at end “; calls for victims to be put at the heart of Scotland's justice system through the introduction of a Victims Law that will deliver restorative justice and implement measures to protect the rights of victims, including the introduction of Suzanne's Law and Michelle's Law; further calls for victims services to be properly funded; calls for sentences to be doubled for attacks on Scotland's emergency workers; further calls for an end to the presumption against short prison sentences and the introduction of whole life sentences for the worst offenders, and calls for the not proven verdict in Scots Law to be abolished.”

After debate, the amendment was disagreed to ((DT) by division: For 28, Against 93, Abstentions 0).

Pauline McNeill moved amendment S6M-00294.3—

As an amendment to motion S6M-00294 in the name of Keith Brown (Justice: Recover, Renew, Transform), insert at end “; recognises the role that Police Scotland has taken on during the pandemic and agrees there is a need to promote the strong connections between the force and local communities; further recognises that overcrowding in prisons and high levels of remand were chronic challenges prior to COVID-19, the causes of which have been exacerbated by the pandemic; considers that the continued prevalence of violence against women in Scotland to be abhorrent and believes it must be taken seriously by the justice system; acknowledges that the COVID-19 restrictions have increased the risk for victims of domestic violence and hindered their ability to access justice, and calls on the Scottish Government to roll out domestic abuse courts across the country and establish a specialist sexual offences court.”

After debate, the amendment was disagreed to ((DT) by division: For 53, Against 60, Abstentions 7).

Maggie Chapman moved amendment S6M-00294.4—

As an amendment to motion S6M-00294 in the name of Keith Brown (Justice: Recover, Renew, Transform), insert at end “; considers that the transformation of the justice system must take a human rights and equalities approach to address the disproportionate impact of punitive procedures on BAME communities and other marginalised people and the retraumatising of victims and survivors; acknowledges the urgent need to identify and increase enforcement action against corporate and environmental crime; recognises that an holistic approach to crime reduction and restorative justice that addresses the underlying causes of crime and focuses on rehabilitation, rather than punishment, reduces reoffending and delivers better outcomes for individuals and communities and tackles unacceptable levels of institutional violence, self-

harm and suicide, and calls on the Scottish Government to explore opportunities to implement such approaches, including directing more resources towards prevention and reforming policing and prisons.”

After debate, the amendment was agreed to ((DT) by division: For 93, Against 2, Abstentions 26).

Liam McArthur moved amendment S6M-00294.2—

As an amendment to motion S6M-00294 in the name of Keith Brown (Justice: Recover, Renew, Transform), insert at end “; considers that the system of fatal accident inquiries (FAIs) continues to fail families and prevents lessons that could save lives being learned; and believes that reform is necessary, and calls for this to be informed by an independent expert review with a remit to include considering the options for removing FAIs from the Crown Office and Procurator Fiscal Service's responsibilities altogether.”

After debate, the amendment was disagreed to ((DT) by division: For 57, Against 58, Abstentions 6).

The motion, as amended, was then agreed to (DT).

Accordingly, the Parliament resolved—That the Parliament commends the commitment, dedication and innovation of justice partners, staff and key stakeholders in ensuring that the justice system can recover, renew and transform as Scotland emerges from the COVID-19 pandemic, while looking towards reform that delivers a faster, fairer and more effective system; acknowledges key challenges and the ongoing need for measures to both continue to protect public health and to support the recovery of the justice system as it emerges from this most challenging period; recognises the investment of additional resources in helping to address the impact and encourages continued collaboration to ensure that the interests of victims and those who rely on the justice system remain at the heart of necessary reforms; recognises the inventive solutions that have been adopted, including the use of cinemas as remote jury centres, moving civil business online and enabling prisoners to maintain family contact through virtual visits; but, as in other jurisdictions worldwide, recognises the impact of the pandemic on the delivery of justice in Scotland on victims, witnesses and those accused of criminal offences, including those on remand, indicating the need for a clear focus on addressing the backlogs in court business and ensuring cases are progressed within a reasonable time period, all in order to deliver a modern justice system fit for future challenges; considers that the transformation of the justice system must take a human rights and equalities approach to address the disproportionate impact of punitive procedures on BAME communities and other marginalised people and the retraumatising of victims and survivors; acknowledges the urgent need to identify and increase enforcement action against corporate and environmental crime; recognises that an holistic approach to crime reduction and restorative justice that addresses the underlying causes of crime and focuses on rehabilitation, rather than punishment, reduces reoffending and delivers better outcomes for individuals and communities and tackles unacceptable levels of institutional violence, self-harm and suicide, and calls on the Scottish Government to

explore opportunities to implement such approaches, including directing more resources towards prevention and reforming policing and prisons.

4. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00347—That the Parliament agrees the following revisions to the programme of business on—

(a) Tuesday 15 June 2021—

after

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

insert

followed by Ministerial Statement: Greenhouse Gas Emissions Statistics (2019)

delete

5.00 pm Decision Time

and insert

5.30 pm Decision time

(b) Wednesday 16 June 2021—

after

2.00 pm Portfolio Questions: Social Justice, Housing and Local Government; Constitution, External Affairs and Culture

insert

followed by Ministerial Statement: Redress for Survivors (Historical Child Abuse in Care) Scotland Act 2021 Update

delete

5.00 pm Decision Time

and insert

5.30 pm Decision time

(c) Thursday 17 June 2021—

delete

2:30 pm Parliamentary Business Motions

2:30 pm Portfolio Questions: Justice

and insert

2.00 pm Parliamentary Bureau Motions

2:00 pm Portfolio Questions: Justice

after

2.00 pm Portfolio Questions: Justice

insert

followed by Ministerial Statement: Provisional Outturn 2020-21

The motion was agreed to (DT).

5. Variation of Standing Orders: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00350—That the Parliament agrees that, for the purpose of the establishment of committees following the general election, in Rule 6.1.6(a) of Standing Orders the number “21” be suspended and replaced with “30”.

The motion was agreed to (DT).

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

The meeting closed at 5.19 pm.

David McGill
Clerk of the Parliament
10 June 2021

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

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 10 June 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/237)

laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

Negative Instruments

The following instrument was laid before the Parliament on 10 June 2021 and is subject to the negative procedure—

Coronavirus (Scotland) Act 2020 (Early Expiry of Provisions) (No. 2) Regulations 2021 (SSI 2021/236)

laid under section 13(3) of the Coronavirus (Scotland) Act 2020

Laid Only Instruments

The following instruments were laid before the Parliament on 10 June 2021 and are not subject to any parliamentary procedure—

Valuation Timetable (Coronavirus) (Scotland) Amendment Order 2021 (SSI 2021/231)

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No. 2) Regulations 2021 (SSI 2021/232 (C. 12))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

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