



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 14, Session 6

Meeting of the Parliament

Thursday 17 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 Justice were answered by a Cabinet Secretary and a Minister.

3. Ministerial Statement: The Minister for Public Finance, Planning and Community Wealth (Tom Arthur) made a statement and answered questions on Provisional Outturn 2020-21.

4. Appointment of Law Officers: The First Minister (Nicola Sturgeon) moved S6M-00406—That the Parliament agrees that it be recommended to Her Majesty that Dorothy Bain QC be appointed as the Lord Advocate and that Ruth Charteris QC be appointed as Solicitor General for Scotland.

After debate, the motion was agreed to.

5. Tackling Drug Related Deaths: The Minister for Drugs Policy (Angela Constance) moved S6M-00400—That the Parliament supports the national mission to tackle drug-related deaths and harms; welcomes proposals for the introduction of guidance to increase the accessibility of residential rehabilitation programmes; notes that increased funding is supporting enhancements to ensure that resources reach frontline treatment, rehabilitation and recovery services in areas of acute demand; believes that the new Medication-Assisted Treatment Standards are fundamental to

ensuring that everyone who requires support can get access to the drug treatment or support option that they seek; further believes that actions on the standards, such as the implementation of same-day prescribing and increasing the range of treatment options available across the country, will help save lives, and supports calls for an urgent four-nations summit to consider reform of the 50-year-old Misuse of Drugs Act 1971 to fully align the law with a public health response, so that all options for tackling the harm caused by drugs can be deployed, if supported by the Scottish Parliament.

Sue Webber moved amendment S6M-00400.1—

As an amendment to motion S6M-00400 in the name of Angela Constance (Tackling Drug Related Deaths), leave out from “reform of the” to end and insert “how to work constructively across the UK to tackle drug-related deaths, and calls on the Scottish Government to introduce a Right to Recovery to enshrine in law that everyone has access to the necessary addiction treatment.”

After debate, the amendment was disagreed to ((DT) by division: For 28, Against 72, Abstentions 22).

Claire Baker moved amendment S6M-00400.4—

As an amendment to motion S6M-00400 in the name of Angela Constance (Tackling Drug Related Deaths), insert at end “; considers that the resources of the police and justice system should be focused on supporting lifesaving, public health interventions and believes that all options within the existing legal framework should be explored to support the delivery of safe consumption facilities; notes that delivering the new Medication-Assisted Treatment Standards will require significant service reform; believes that, given the scale of the drugs deaths crisis in Scotland, there must be public accountability and scrutiny over implementation of the standards, and calls on the Scottish Government to report on a six-monthly basis to the Parliament on the progress of implementation and service improvement.”

After debate, the amendment was agreed to ((DT) by division: For 94, Against 28, Abstentions 0).

Gillian Mackay moved amendment S6M-00400.3—

As an amendment to motion S6M-00400 in the name of Angela Constance (Tackling Drug Related Deaths), insert at end “; considers that safe consumption rooms are an important public health measure that could reduce drug deaths and deliver wider benefits to communities, as they have done elsewhere; condemns the UK Government's refusal to support trials in Scotland and urges it to reconsider, and calls on the Scottish Government to investigate, as a matter of urgency, what options it has to establish legal and safe consumption rooms within the existing legal framework.”

After debate, the amendment was agreed to ((DT) by division: For 94, Against 28, Abstentions 0).

Alex Cole-Hamilton moved amendment S6M-00400.2—

As an amendment to motion S6M-00400 in the name of Angela Constance (Tackling Drug Related Deaths), insert at end “; notes the recommendation made by Sir Harry Burns to routinely record adverse childhood experiences, and believes that all aspects of recovery and treatment should be trauma-informed; understands that guidance has previously been issued by the Lord Advocate to police officers relating to the use of recorded police warnings in certain cases of minor offending; would support a new Lord Advocate reviewing this guidance and examining how it can be strengthened, in light of the resolution of the Parliament on motion S5M-24396 on 18 March 2021 and the support expressed for working towards diverting people caught in possession of drugs for personal use into treatment, and believes that a parliamentary statement after the summer recess from the new Lord Advocate on the principles and practicalities of diversion would be beneficial in informing public debate and the response of authorities to Scotland's drugs deaths crisis.”

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

The motion, as amended, was then agreed to ((DT) by division: For 94, Against 28, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament supports the national mission to tackle drug-related deaths and harms; welcomes proposals for the introduction of guidance to increase the accessibility of residential rehabilitation programmes; notes that increased funding is supporting enhancements to ensure that resources reach frontline treatment, rehabilitation and recovery services in areas of acute demand; believes that the new Medication-Assisted Treatment Standards are fundamental to ensuring that everyone who requires support can get access to the drug treatment or support option that they seek; further believes that actions on the standards, such as the implementation of same-day prescribing and increasing the range of treatment options available across the country, will help save lives; supports calls for an urgent four-nations summit to consider reform of the 50-year-old Misuse of Drugs Act 1971 to fully align the law with a public health response, so that all options for tackling the harm caused by drugs can be deployed, if supported by the Scottish Parliament; considers that the resources of the police and justice system should be focused on supporting lifesaving, public health interventions and believes that all options within the existing legal framework should be explored to support the delivery of safe consumption facilities; notes that delivering the new Medication-Assisted Treatment Standards will require significant service reform; believes that, given the scale of the drugs deaths crisis in Scotland, there must be public accountability and scrutiny over implementation of the standards; calls on the Scottish Government to report on a six-monthly basis to the Parliament on the progress of implementation and service improvement; considers that safe consumption rooms are an important public health measure that could reduce drug deaths and deliver wider benefits to communities, as they have done elsewhere; condemns the UK Government's refusal to support trials in Scotland and urges it to reconsider; calls on the Scottish Government to investigate, as a matter of urgency, what options it has to establish legal and safe consumption rooms within the existing legal framework; notes the

recommendation made by Sir Harry Burns to routinely record adverse childhood experiences, and believes that all aspects of recovery and treatment should be trauma-informed; understands that guidance has previously been issued by the Lord Advocate to police officers relating to the use of recorded police warnings in certain cases of minor offending; would support a new Lord Advocate reviewing this guidance and examining how it can be strengthened, in light of the resolution of the Parliament on motion S5M-24396 on 18 March 2021 and the support expressed for working towards diverting people caught in possession of drugs for personal use into treatment, and believes that a parliamentary statement after the summer recess from the new Lord Advocate on the principles and practicalities of diversion would be beneficial in informing public debate and the response of authorities to Scotland's drugs deaths crisis.

6. Committee Membership: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00429—That the Parliament agrees the membership of committees of the Parliament as follows:

COVID-19 Recovery Committee

Membership: Siobhan Brown, John Mason, Jim Fairlie, Alex Rowley, Murdo Fraser, Brian Whittle.

Citizen Participation and Public Petitions Committee

Membership: David Torrance, Bill Kidd, Paul Sweeney, Jackson Carlaw, Tess White.

Constitution, Europe, External Affairs and Culture Committee

Membership: Clare Adamson, Jenni Minto, Alasdair Allan, Patrick Harvie, Sarah Boyack, Donald Cameron, Sue Webber.

Criminal Justice Committee

Membership: Audrey Nicol, Rona Mackay, Collette Stevenson, Fulton MacGregor, Pauline McNeill, Katy Clark, Jamie Greene, Russell Findlay.

Delegated Powers and Law Reform Committee

Membership: Stuart McMillan, Bill Kidd, Paul Sweeney, Graham Simpson, Craig Hoy.

Economy and Fair Work Committee

Membership: Colin Beattie, Gordon Macdonald, Michelle Thomson, Fiona Hyslop, Lorna Slater, Claire Baker, Colin Smyth, Jamie Halcro Johnston, Alexander Burnett.

Education, Children and Young People Committee

Membership: Kaukab Stewart, Bob Doris, James Dornan, Fergus Ewing, Stephanie Callaghan, Ross Greer, Michael Marra, Beatrice Wishart, Oliver Mundell, Stephen Kerr.

Equalities, Human Rights and Civil Justice Committee

Membership: Joe FitzPatrick, Karen Adam, Fulton MacGregor, Maggie Chapman, Pam Duncan-Glancy, Alexander Stewart, Pam Gosal.

Finance and Public Administration Committee

Membership: Kenneth Gibson, Michelle Thomson, John Mason, Patrick Harvie, Daniel Johnson, Liz Smith, Douglas Lumsden.

Health, Social Care and Sport Committee

Membership: Gillian Martin, Emma Harper, Stephanie Callaghan, David Torrance, Evelyn Tweed, Gillian Mackay, Carol Mochan, Paul O'Kane, Annie Wells, Sandesh Gulhane.

Local Government, Housing and Planning Committee

Membership: Elena Whitham, Paul McLennan, Willie Coffey, Ariane Burgess, Mark Griffin, Miles Briggs, Meghan Gallacher.

Net Zero, Energy and Transport Committee

Membership: Fiona Hyslop, Natalie Don, Jackie Dunbar, Mark Ruskell, Monica Lennon, Liam Kerr, Dean Lockhart.

Public Audit Committee

Membership: Willie Coffey, Colin Beattie, Richard Leonard, Sharon Dowey, Craig Hoy.

Rural Affairs, Islands and Natural Environment Committee

Membership: Jenni Minto, Jim Fairlie, Alasdair Allan, Karen Adam, Ariane Burgess, Mercedes Villalba, Liam McArthur, Rachael Hamilton, Finlay Carson.

Social Justice and Social Security Committee

Membership: Neil Gray, Natalie Don, Emma Roddick, Marie McNair, Pam Duncan-Glancy, Foyso Choudhury, Miles Briggs, Jeremy Balfour.

Standards, Procedures and Public Appointments Committee

Membership: Bob Doris, Paul McLennan, Martin Whitfield, Alexander Stewart, Edward Mountain.

The motion was agreed to (DT).

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

The meeting closed at 5.52 pm.

David McGill
Clerk of the Parliament
17 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 17 June 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 28) Regulations 2021 (SSI 2021/242)
laid under paragraph 6(3) of schedule 19 of the Coronavirus Act 2020

Other Documents

The following documents were laid before the Parliament on 17 June 2021 and are not subject to parliamentary procedure—

The Inquiries Into Fatal Accidents And Sudden Deaths Etc. (Scotland) Act 2016 – reporting requirement SG/2021/146 laid under section 29(2)(a) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016

The Proceeds of Crime Act 2002 (External Investigations and External Orders and Requests) (Amendment) Order 2021 SI 2021/638 laid under section 459(7) of the Proceeds of Crime Act 2002, which requires the Scottish Ministers to lay a copy of every SI containing an Order in Council made under section 444 or 445 of that Act before the Scottish Parliament

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