

Thursday 18 January 2024

Business Bulletin

Iris Ghnothaichean



The Scottish Parliament
Pàrlamaid na h-Alba

Today's Business

Meeting of the Parliament

11:40 am Parliamentary Bureau Motions

11:40 am General Questions

12:00 pm First Minister's Questions

followed by Members' Business — S6M-11509 Ruth Maguire: International Insights, A Model for Scotland

2:30 pm Parliamentary Bureau Motions

2:30 pm Portfolio Questions

followed by Ministerial Statement: New Safeguards in Relation to XL Bully Dogs

followed by Scottish Government Debate: Scottish Rural and Islands Youth Parliament

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

Committee Meetings

8:45am Constitution, Europe, External Affairs and Culture Committee

9:00am Public Audit Committee

9:30am Standards, Procedures and Public Appointments Committee

10:30am Finance and Public Administration Committee

Meeting of the Parliament

11:40 am Parliamentary Bureau Motions

11:40 am General Questions

1. **Stephanie Callaghan:** [Withdrawn] ([S6O-02982](#))
2. **Foysoi Choudhury:** To ask the Scottish Government what safeguarding training NHS boards are required to provide to non-clinical staff who are handling interactions with members of the public. ([S6O-02983](#))
3. **Finlay Carson:** [Withdrawn] ([S6O-02984](#))
4. **Douglas Lumsden:** [Not Lodged] ([S6O-02985](#))
5. **Martin Whitfield:** To ask the Scottish Government what steps it is taking to improve lifelong learning in Scotland. ([S6O-02986](#))
6. **Colin Smyth:** To ask the Scottish Government what action it is taking to attract and retain staff in colleges. ([S6O-02987](#))
7. **Sarah Boyack:** To ask the Scottish Government when it last met with the City of Edinburgh Council to discuss its housing emergency declaration. ([S6O-02988](#))
8. **Paul O'Kane:** To ask the Scottish Government when it last met with NHS Greater Glasgow and Clyde to discuss out-of-hours GP services in Inverclyde. ([S6O-02989](#))

12:00 pm First Minister's Questions

1. **Douglas Ross:** Question to be taken in Chamber. ([S6F-02715](#))
2. **Anas Sarwar:** Question to be taken in Chamber. ([S6F-02716](#))
3. **Alexander Stewart:** To ask the First Minister what the Scottish Government's response is to reports that Scotland has among the worst survival rates for some of the most serious cancers. ([S6F-02717](#))
4. **Emma Harper:** To ask the First Minister, in light of reported concerns regarding food labelling being a devolved matter, what the Scottish Government's position is on what impact the UK Government's reported plans to roll out "not for EU" labelling on food and drink products across the whole of the UK could have on Scotland's food and drink industry. ([S6F-02729](#))
5. **Douglas Lumsden:** To ask the First Minister what percentage of the premises contracted for delivery of superfast broadband under the R100 scheme have still to be connected. ([S6F-02720](#))
6. **Evelyn Tweed:** To ask the First Minister what steps the Scottish Government is taking to ensure that information on sexually transmitted infections is accessible, in light of STIQ Day, and the reported rising number of cases of sexually transmitted infections in Scotland. ([S6F-02719](#))

followed by Members' Business Debate on the subject of—

[S6M-11509](#) **Ruth Maguire: International Insights, A Model for Scotland**—That the Parliament welcomes the publication of the report, *International Insights*, by A Model For Scotland, which is a

campaign group for progressive prostitution law reform; considers that the report highlights important findings related to what Scotland can learn from international efforts to combat commercial sexual exploitation; further considers that, whilst the Scottish Government recognises prostitution as a form of violence against women, and has committed to develop a model for Scotland to challenge men's demand for prostitution, it is currently legal in Scotland to perpetrate and profit from prostitution, and that victims receive sanctions rather than support, including in the Cunninghame South constituency; believes that Scotland's approach to tackling sex trafficking and sexual exploitation can build on the experiences and learning of other countries, and notes the view that Scotland must join the growing number of countries taking action to combat commercial sexual exploitation by ensuring that the new model for Scotland criminalises paying for sex, decriminalises and provides support to women involved in the sex trade and holds pimping websites accountable.

2:30 pm Parliamentary Bureau Motions

2:30 pm Portfolio Questions

Transport, Net Zero and Just Transition

1. **Stephen Kerr:** To ask the Scottish Government what its policy is for the maintenance and rebuilding of road infrastructure. ([S6O-02974](#))
2. **Clare Haughey:** To ask the Scottish Government what action it has taken to encourage more people to use bus and rail services in the Rutherglen constituency. ([S6O-02975](#))
3. **Stuart McMillan:** To ask the Scottish Government how much has been invested in the trunk road network in the Greenock and Inverclyde constituency since Amey took over management of the network. ([S6O-02976](#))
4. **Evelyn Tweed:** To ask the Scottish Government what action it is taking to realise any potential of National Nature Reserves to help achieve net zero through a large-scale impact on nature recovery and biodiversity. ([S6O-02977](#))
5. **Pam Gosal:** To ask the Scottish Government whether it has made any assessment of the potential impact of its Budget on its net zero ambitions. ([S6O-02978](#))
6. **Claire Baker:** To ask the Scottish Government whether it will provide an update on what action it is taking to make rail travel more affordable and attractive for passengers in the Mid Scotland and Fife region. ([S6O-02979](#))
7. **Jim Fairlie:** To ask the Scottish Government what assessment it has made of any potential impact on the proposed Shinafoot junction on the A9 at Auchterarder of the announcement that Stewart Milne Homes has gone into administration. ([S6O-02980](#))
8. **Pauline McNeill:** To ask the Scottish Government what consideration it has given to whether there is a need for regulatory oversight of companies that install low emissions heating systems and upgrade homes to be more energy efficient. ([S6O-02981](#))

followed by Ministerial Statement: New Safeguards in Relation to XL Bully Dogs

followed by Scottish Government Debate: Scottish Rural and Islands Youth Parliament

S6M-11896 Mairi Gougeon: Scottish Rural and Islands Youth Parliament—That the Parliament acknowledges the important contribution that the Scottish Rural and Islands Parliament (SRIP), including the Rural and Islands Youth Parliament, makes, particularly in influencing future policy development; notes that the SRIP, which held its fifth gathering in November 2023, is unique in the UK; welcomes the opportunity that young people from rural Scotland now have to engage with the Scottish Ministers; recognises the value and importance of hearing the experience and ideas of young people who live and work in Scotland's rural and island communities to inform Scottish Government policy priorities and of ensuring that their voice is heard, and welcomes the involvement and commitment of youth and adult volunteer delegates who made both parliaments a success.

The Presiding Officer has selected the following amendments

S6M-11896.2 Rachael Hamilton: Scottish Rural and Islands Youth Parliament—As an amendment to motion S6M-11896 in the name of Mairi Gougeon (Scottish Rural and Islands Youth Parliament), insert at end “, and notes that the Scottish Rural and Islands Youth Parliament raised a number of issues affecting young people in rural Scotland, including the Scottish Government's lack of long-term commitment to the rural and island environment, the lack of mental health support for people in the Highlands and Islands, a transport system that is not fit for purpose and a housing sector that fails to meet the needs of the population.”

S6M-11896.1 Rhoda Grant: Scottish Rural and Islands Youth Parliament—As an amendment to motion S6M-11896 in the name of Mairi Gougeon (Scottish Rural and Islands Youth Parliament), insert at end “; considers that access to health services, homes and opportunities are essential to young people in rural and island areas; believes that young people who live in these areas are best placed to advise on what is needed, and urges the Scottish Government to address the issues highlighted and put in place a strategy and timeline to address them, as it is vital to halt depopulation and retain young people in rural areas.”

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

Committee Meetings

All meetings take place in the Scottish Parliament, unless otherwise specified.

Constitution, Europe, External Affairs and Culture Committee 2nd Meeting, 2024

The Committee will meet at 8:45 am in TG.40-CR1 The Burns Room

1. **Decision on taking business in private:** The Committee will decide whether to take item 4 in private.
2. **BBC Annual Report:** The Committee will take evidence from—
Steve Carson, Director, BBC Scotland;
Alan Dickson, Chief Financial Officer, BBC;
Louise Thornton, Head of Commissioning, BBC Scotland.
3. **Budget scrutiny 2024-25:** The Committee will take evidence from—
Angus Robertson, Cabinet Secretary for the Constitution, External Affairs and Culture, and Penelope Cooper, Director of Culture and Major Events, Scottish Government.
4. **Evidence Session:** The Committee will consider the evidence it heard earlier under agenda items 2 and 3.

Public Audit Committee 2nd Meeting, 2024

The Committee will meet at 9:00 am in T1.60-CR4 The Clerk Maxwell Room

1. **Decision on taking business in private:** The Committee will decide whether to take agenda items 3 and 4 in private.
2. **The 2022/23 audit of the Scottish Government Consolidated Accounts:** The Committee will take evidence from—
John-Paul Marks, Permanent Secretary, Gregor Irwin, Director-General Economy, Jackie McAllister, Chief Financial Officer, and Alison Cumming, Director of Budget and Public Spending, Scottish Government.
3. **The 2022/23 audit of the Scottish Government Consolidated Accounts:** The Committee will consider the evidence heard at agenda item 2 and take further evidence from—
Stephen Boyle, Auditor General for Scotland;
Carole Grant, Audit Director, and Helen Russell, Senior Audit Manager, Audit Scotland.
4. **The 2022/23 audit of the Scottish Government Consolidated Accounts:** The Committee will consider the evidence heard at agenda items 2 and 3 and agree any further action it wishes to take.

Standards, Procedures and Public Appointments Committee 1st Meeting, 2024

The Committee will meet at 9:30 am in T4.60-CR6 The Livingstone Room

1. **Decision on taking business in private:** The Committee will decide whether to take items 3 and 4 in private.
2. **Commissioner for Ethical Standards in Public Life in Scotland:** The Committee will consider a report from the Commissioner for Ethical Standards in Public Life in Scotland on a public appointment.
3. **Cross-Party Group complaint:** The Committee will consider a complaint in relation to the Cross-Party Group on Drug and Alcohol Misuse.

4. **Work programme:** The Committee will consider its work programme.

Finance and Public Administration Committee 3rd Meeting, 2024

The Committee will meet at 10:30 am in TG.60-CR3 The Fleming Room

1. **Replacing EU structural funds in Scotland:** The Committee will take evidence from—
Rt Hon. Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, UK Government.

Future Meetings of the Parliament

Business Programme agreed by the Parliament on 17 January 2024

Tuesday 23 January 2024

2:00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Celebrating and Supporting Breastfeeding in Scotland

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

followed by Members' Business — S6M-11415 Emma Harper: The Role of the British-Irish Parliamentary Assembly

Wednesday 24 January 2024

2:00 pm Parliamentary Bureau Motions

2:00 pm Portfolio Questions

Rural Affairs, Land Reform and Islands

NHS Recovery, Health and Social Care

followed by Scottish Government Debate: Investing in Scotland's Green Economy

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 — S6M-11728 Ariane Burgess: Celebrating Scotland's National Native Woodlands

Thursday 25 January 2024

11:40 am Parliamentary Bureau Motions

11:40 am General Questions

12:00 pm First Minister's Questions

followed by Members' Business — S6M-11789 Paul O'Kane: Holocaust Memorial Day 2024

2:30 pm Parliamentary Bureau Motions

2:30 pm Portfolio Questions

Social Justice

followed by Scottish Government Debate: Scotland as a Technology Nation

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

Tuesday 30 January 2024

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 31 January 2024

2:00 pm Parliamentary Bureau Motions

2:00 pm Portfolio Questions: External Affairs and Culture; Justice and Home Affairs

followed by Scottish Conservative and Unionist 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 1 February 2024

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 Finance and Public Administration Committee Debate: Scottish Budget 2024-25

followed by Business Motions

followed by Parliamentary Bureau Motions

5:15 pm Decision Time

Future Committee Meetings

The future business of the Parliament has not yet been agreed to.

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

Motions

Motions and amendments are usually printed the day after lodging. When an amendment is lodged, then the original motion will be republished alongside it.

Motions and amendments can be published with symbols:

- * before the number indicates publication for the first time
- *...* around a section of text indicates changes to previously published material
- R indicates a member has declared a registered interest

The Parliamentary Bureau periodically deletes motions or amendments that are over six weeks old and not scheduled for debate.

Questions regarding this section should be directed to the Chamber Desk.

Motions for Debate

S6M-11896 Mairi Gougeon: Scottish Rural and Islands Youth Parliament—That the Parliament acknowledges the important contribution that the Scottish Rural and Islands Parliament (SRIP), including the Rural and Islands Youth Parliament, makes, particularly in influencing future policy development; notes that the SRIP, which held its fifth gathering in November 2023, is unique in the UK; welcomes the opportunity that young people from rural Scotland now have to engage with the Scottish Ministers; recognises the value and importance of hearing the experience and ideas of young people who live and work in Scotland's rural and island communities to inform Scottish Government policy priorities and of ensuring that their voice is heard, and welcomes the involvement and commitment of youth and adult volunteer delegates who made both parliaments a success.

Supported by: Shona Robison, Gillian Martin

***S6M-11896.2 Rachael Hamilton: Scottish Rural and Islands Youth Parliament**—As an amendment to motion S6M-11896 in the name of Mairi Gougeon (Scottish Rural and Islands Youth Parliament), insert at end “, and notes that the Scottish Rural and Islands Youth Parliament raised a number of issues affecting young people in rural Scotland, including the Scottish Government's lack of long-term commitment to the rural and island environment, the lack of mental health support for people in the Highlands and Islands, a transport system that is not fit for purpose and a housing sector that fails to meet the needs of the population.”

***S6M-11896.1 Rhoda Grant: Scottish Rural and Islands Youth Parliament**—As an amendment to motion S6M-11896 in the name of Mairi Gougeon (Scottish Rural and Islands Youth Parliament), insert at end “; considers that access to health services, homes and opportunities are essential to young people in rural and island areas; believes that young people who live in these areas are best placed to advise on what is needed, and urges the Scottish Government to address the issues highlighted and put in place a strategy and timeline to address them, as it is vital to halt depopulation and retain young people in rural areas.”

Supported by: Colin Smyth*, Pam Duncan-Glancy*

Other new and altered motions and amendments

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

***[S6M-11905](#) Jenni Minto: Draft Funeral Director Code of Practice 2024 (SG/2023/300)** —That the Health, Social Care and Sport Committee recommends that the Draft Funeral Director Code of Practice 2024 (SG/2023/300) be approved.

Supported by: Michael Matheson*, Maree Todd*

Motions and amendments which have attracted additional support

[S6M-11876](#) Liam Kerr: Commending Jamie Robertson for Promotion of Peterhead as a Tourist Destination (lodged on 16 January 2024)

New Support: Craig Hoy*, Donald Cameron*, Stephen Kerr*, Russell Findlay*

[S6M-11872](#) Tess White: Congratulations to Award-winning, Angus-based Chocolatier, Chloe Oswald (lodged on 16 January 2024)

New Support: Stephen Kerr*, Donald Cameron*

[S6M-11870](#) Annie Wells: Mackintosh at the Willow (lodged on 16 January 2024)

New Support: Stephen Kerr*

[S6M-11868](#) Annie Wells: Mackintosh at the Willow Secured by the National Trust for Scotland (lodged on 15 January 2024)

New Support: Stephen Kerr*

[S6M-11855](#) Alexander Burnett: Elaine Barnwell and Dr Donald Cruickshank Mentioned in the New Year Honours List (lodged on 15 January 2024)

New Support: Stephen Kerr*

[S6M-11854](#) Alexander Burnett: Douneside House and the MacRobert Trust Raise £7,000 for Local Charities (lodged on 12 January 2024)

New Support: Stephen Kerr*

[S6M-11852](#) Paul Sweeney: Radio Clyde Celebrates a Half Century on the Airwaves (lodged on 12 January 2024)

New Support: Colin Smyth*

[S6M-11851](#) Alexander Stewart: Alloa Ballet Company Voted Dance Studio of the Year (lodged on 12 January 2024)

New Support: Stephen Kerr*

[S6M-11850](#) Alexander Stewart: Father and Daughter Walk Over 1,100 Miles and Raise More than £4,000 for Scottish Autism (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11848](#) Pam Gosal: Milngavie Designer Invents Self-watering Origami Plant Pots (lodged on 11 January 2024)

New Support: Stephen Kerr*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

[S6M-11847](#) Pam Gosal: Helensburgh Automotive Employee Trust Takes Ownership of Helensburgh Toyota (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11846](#) Rachael Hamilton: Scottish Borders Organisations Levelled Up after Latest Round of UK Shared Prosperity Funding Announced (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11844](#) Michelle Thomson: The National Lottery Community Fund Supports Falkirk East Communities (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11842](#) Roz McCall: Playhouse Theatre Company Comes to Dunfermline (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11838](#) Alexander Burnett: Deeside Rugby Club U16 Team Wins SRU National Plate Final (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11835](#) Annabelle Ewing: National Lottery Community Fund Makes Award to Re-Employ (lodged on 15 January 2024)

New Support: Pam Duncan-Glancy*

[S6M-11834](#) Annabelle Ewing: National Lottery Community Fund Makes Award to Home-Start Cowdenbeath Area Ltd (lodged on 15 January 2024)

New Support: Kenneth Gibson*, Pam Duncan-Glancy*

[S6M-11833](#) Tess White: Success for Stonehaven Fireballs Festival 2024 (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11820](#) Rachael Hamilton: Hawick Young Roofer Awarded Second Place at UK Competition (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11814](#) Roz McCall: Simon McMahon Shortlisted for a Retail Week Award (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11811](#) Jamie Greene: Protecting Bank Branches for Rural and Island Communities (lodged on 11 January 2024)

New Support: Stephen Kerr*

[S6M-11810](#) Sharon Dowey: Pam Gosal MSP Receives MBE in the King's New Year Honours List 2024 (lodged on 11 January 2024)

New Support: Stephen Kerr*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

[S6M-11615](#) Sharon Dowey: Parkinson's Excellence Network Awards 2023 (lodged on 11 December 2023)

New Support: Colin Smyth*

[S6M-11613](#) Katy Clark: Ongoing Dispute at the MoD DES Site in Beith (lodged on 11 December 2023)

New Support: Colin Smyth*

[S6M-11588](#) Craig Hoy: Energise Galashiels Wins Scotland Loves Local's Creative Community Award 2023 (lodged on 06 December 2023)

New Support: Colin Smyth*

[S6M-11555](#) Finlay Carson: Sheelagh Rusby Wins Prestigious National Teaching Award (lodged on 06 December 2023)

New Support: Colin Smyth*

[S6M-11512](#) Richard Leonard: Cuts to Railway Funding (lodged on 05 December 2023)

New Support: Sarah Boyack*

[S6M-11508](#) Katy Clark: Women and Girls' Safety on Public Transport (lodged on 04 December 2023)

New Support: Colin Smyth*

[S6M-11492](#) Sharon Dowey: Congratulating Ayr's Gary Burgess (lodged on 05 December 2023)

New Support: Colin Smyth*

[S6M-11468](#) Emma Harper: Dumfries and Galloway Youth Awards 2023 (lodged on 29 November 2023)

New Support: Colin Smyth*

[S6M-11433](#) Finlay Carson: Murray Farmcare Scores Double Award Win at National SQP Awards (lodged on 28 November 2023)

New Support: Colin Smyth*

[S6M-11410](#) Jackie Baillie: Rhu Sailor Breaks Irish Sea Record in Bid to Highlight Climate Crisis Impact (lodged on 30 November 2023)

New Support: Colin Smyth*

[S6M-11389](#) Richard Leonard: Recognising the Contribution of Michael (Mick) McGahey (lodged on 27 November 2023)

New Support: Colin Smyth*

[S6M-11360](#) Christine Grahame: Scottish Fire and Rescue Service Presents its First Campbell Hunter Award (lodged on 23 November 2023)

New Support: Colin Smyth*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

[S6M-11345](#) Christine Grahame: Cats and Their Stats (CATS) Report Scotland 2023 (lodged on 23 November 2023)

New Support: Colin Smyth*

[S6M-11312](#) Brian Whittle: Celebrating the Career of Kilmarnock Boxing Legend, Tom Brown (lodged on 21 November 2023)

New Support: Colin Smyth*

[S6M-11300](#) Mercedes Villalba: Cost of Renting Crisis (lodged on 20 November 2023)

New Support: Colin Smyth*

[S6M-11280](#) Paul Sweeney: UN Resolution Calls for a Second International Year of Cooperatives in 2025 (lodged on 16 November 2023)

New Support: Colin Smyth*

[S6M-11277](#) Emma Harper: Success of the 2023 Dumfries and Galloway Life Awards (lodged on 16 November 2023)

New Support: Colin Smyth*

[S6M-11271](#) Mercedes Villalba: STUC Day of Action for Local Services (lodged on 16 November 2023)

New Support: Colin Smyth*

[S6M-11270](#) Michael Marra: University of Dundee Professor Wins Award for Parkinson's Research (lodged on 16 November 2023)

New Support: Colin Smyth*

[S6M-11259](#) Brian Whittle: Darvel Volunteer Group Given King's Highest Honour (lodged on 16 November 2023)

New Support: Colin Smyth*

[S6M-11251](#) Katy Clark: 16 Days of Activism (lodged on 15 November 2023)

New Support: Colin Smyth*

[S6M-11199](#) Brian Whittle: Recognising the Success of HMP Kilmarnock (lodged on 13 November 2023)

New Support: Colin Smyth*, Willie Coffey*

[S6M-11177](#) Brian Whittle: Irwin Mitchell Extends Sponsorship of Ayrshire Tigers (lodged on 10 November 2023)

New Support: Colin Smyth*

[S6M-11171](#) Brian Whittle: Kilmarnock's Taylor Deay Nominated in the 2023 ScotRail in the Community Awards (lodged on 09 November 2023)

New Support: Colin Smyth*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

[S6M-11170](#) Brian Whittle: Cycle Station Celebrates One Year of Successful Cycle Training
(lodged on 09 November 2023)

New Support: Colin Smyth*

[S6M-11169](#) Brian Whittle: Ayrshire Public Bodies Equally Safe at Work (lodged on 09 November 2023)

New Support: Colin Smyth*

[S6M-11141](#) Finlay Carson: Stranraer Water Sports Association Awarded £52,000 from Lottery funds (lodged on 09 November 2023)

New Support: Colin Smyth*

[S6M-11140](#) Finlay Carson: River Cree Hatchery & Habitat Trust SCIO Awarded Lottery Funding (lodged on 09 November 2023)

New Support: Colin Smyth*

[S6M-11137](#) Monica Lennon: Belonging Boxes for Older Patients Helping to Keep Their Treasured Items in One Place (lodged on 10 November 2023)

New Support: Colin Smyth*

[S6M-11117](#) Finlay Carson: Galloway and Southern Ayrshire Named in National Geographic's "The Cool List 2024" (lodged on 07 November 2023)

New Support: Colin Smyth*

[S6M-11086](#) Finlay Carson: Palnure Farm Wins Dairy Farm of the Year at Scottish Agriculture Awards (lodged on 06 November 2023)

New Support: Colin Smyth*

[S6M-11074](#) Rachael Hamilton: Celebrating the Scottish Borders Inspire Awards (lodged on 03 November 2023)

New Support: Colin Smyth*

[S6M-11073](#) Ben Macpherson: Enhancing Scottish Football (lodged on 03 November 2023)

New Support: Willie Rennie*, Sarah Boyack*

[S6M-11063](#) Emma Harper: NHS Dumfries and Galloway Receives Equally Safe Accreditation
(lodged on 02 November 2023)

New Support: Colin Smyth*

[S6M-11030](#) Karen Adam: Celebrating the 50th Anniversary of the Scottish Fishermen's Federation (lodged on 01 November 2023)

New Support: Colin Smyth*

[S6M-11028](#) Finlay Carson: Farmer, Ken Fletcher, Receives Lifetime Achievement Honour
(lodged on 02 November 2023)

New Support: Colin Smyth*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Glusadan				

[S6M-10946](#) Annie Wells: Railway Children Scheme Arrives at Glasgow Central (lodged on 25 October 2023)

New Support: Colin Smyth*

[S6M-10924](#) Finlay Carson: St John Scotland (Dumfries) Patient Transport Celebrates 25 Years (lodged on 24 October 2023)

New Support: Colin Smyth*

[S6M-10918](#) Emma Harper: Lochlan Murdoch Awarded British Citizen Youth Award (lodged on 24 October 2023)

New Support: Colin Smyth*

[S6M-10768](#) Craig Hoy: Congratulating Belhaven Brewery on Winning Visitor Attraction of the Year Award (lodged on 11 October 2023)

New Support: Colin Smyth*

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

Oral Questions

Portfolio Questions selected for answer on 24 January 2024

Rural Affairs, Land Reform and Islands

- 1. Graham Simpson:** To ask the Scottish Government how the spending proposals in its draft Budget will help to achieve woodland planting targets. ([S6O-02990](#))
- 2. Rona Mackay:** To ask the Scottish Government whether there is any scope in its proposed land reform legislation to amend the power of the King's and Lord Treasurer's Remembrancer, known as the KLTR. ([S6O-02991](#))
- 3. Annie Wells:** To ask the Scottish Government whether fishing in the Firth of Clyde will be suspended in 2024, in line with the cod spawning season. ([S6O-02992](#))
- 4. Pam Gosal:** To ask the Scottish Government what assessment it has made of the impact of its 2024-25 Budget on rural and island communities. ([S6O-02993](#))
- 5. Jackie Dunbar:** To ask the Scottish Government, in light of reported concerns regarding food labelling being a devolved matter, what discussions it has had with the UK Government regarding the potential impact on Scotland's food and drink sector of the reported proposal for "not for EU" labelling on food and drink products in the UK. ([S6O-02994](#))
- 6. Michelle Thomson:** To ask the Scottish Government what its most recent assessment is of the potential impact of the Border Target Operating Model on rural affairs in Scotland. ([S6O-02995](#))
- 7. Sue Webber:** To ask the Scottish Government what financial support will be made available to farmers in 2024-25. ([S6O-02996](#))
- 8. Annabelle Ewing:** To ask the Scottish Government what assessment it has made of the importance of the salmon industry for Scotland's economy. ([S6O-02997](#))

NHS Recovery, Health and Social Care

- 1. Bob Doris:** [Not Lodged]
- 2. Brian Whittle:** To ask the Scottish Government, in light of the announcements made in its Budget, what action it is taking to ensure that well-established community mental health services are appropriately funded. ([S6O-02999](#))
- 3. Pam Duncan-Glancy:** To ask the Scottish Government what action it is taking to support people with diabetes. ([S6O-03000](#))
- 4. Evelyn Tweed:** To ask the Scottish Government what assessment it has made of the Forth Valley University College NHS Partnership's impact on the delivery of health services in Forth Valley. ([S6O-03001](#))
- 5. Finlay Carson:** To ask the Scottish Government what action it is taking to support and improve the network of community hospitals. ([S6O-03002](#))
- 6. Edward Mountain:** To ask the Scottish Government whether it plans to take any action on any concerns that it may have regarding the 2018 GP contract in relation to rural practices. ([S6O-03003](#))
- 7. Mark Ruskell:** To ask the Scottish Government whether it will provide an update on the support that is available for people living with, or affected by, dementia. ([S6O-03004](#))

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

8. Christine Grahame: To ask the Scottish Government what research it has undertaken on the impact of changing demographics on NHS services. ([S6O-03005](#))

Portfolio Questions selected for answer on 25 January 2024

Social Justice

- 1. John Mason:** To ask the Scottish Government what its position is on whether a greater increase in the Scottish Child Payment or a Council Tax freeze will do more to help families in poverty. ([S6O-03006](#))
- 2. Murdo Fraser:** To ask the Scottish Government whether it will update its guidance to local authorities on planning rules for short-term lets, in light of the recent ruling from the Court of Session that deemed the City of Edinburgh Council's planning guidance for businesses on short-term lets to be unlawful. ([S6O-03007](#))
- 3. Clare Adamson:** To ask the Scottish Government what social security support is available to people in the Motherwell and Wishaw constituency who are experiencing poverty, including fuel poverty. ([S6O-03008](#))
- 4. Foysoyl Choudhury:** To ask the Scottish Government how it holds Social Security Scotland to account to ensure that it is fulfilling its responsibility to help claimants, who request support, to provide supporting information, including obtaining it on their behalf. ([S6O-03009](#))
- 5. Meghan Gallacher:** To ask the Scottish Government what support it is offering to local authorities to help people stuck in temporary accommodation. ([S6O-03010](#))
- 6. Katy Clark:** To ask the Scottish Government what action it will take to ensure that it meets its affordable homes target by 2032. ([S6O-03011](#))
- 7. Liz Smith:** To ask the Scottish Government what action it is taking to increase the number of new homes started in rural areas. ([S6O-03012](#))
- 8. Sharon Dowey:** To ask the Scottish Government what action it is taking to improve the lives of disabled people. ([S6O-03013](#))

General Questions selected for answer on 25 January 2024

- 1. Liam Kerr:** To ask the Scottish Government what support it offers to businesses in Aberdeen. ([S6O-03014](#))
- 2. Maggie Chapman:** To ask the Scottish Government whether it will provide an update on its response to the recent Families Outside report, *Staying Connected: Care-experienced children and young people with a sibling in prison or secure care*. ([S6O-03015](#))
- 3. Sandesh Gulhane:** To ask the Scottish Government what its response is to reports that the MV Isle of Islay will be launched on 16 March 2024. ([S6O-03016](#))
- 4. Jamie Greene:** To ask the Scottish Government what its response is to reported comments by the Faculty of Advocates and the Law Society of Scotland that an exodus of defence solicitors has left the legal system close to collapse. ([S6O-03017](#))
- 5. Russell Findlay:** To ask the Scottish Government what its response is to the statistics that it has published on criminal justice social work for 2022-23. ([S6O-03018](#))
- 6. Sarah Boyack:** To ask the Scottish Government what discussions the justice secretary has had with Police Scotland regarding potential station closures in Edinburgh. ([S6O-03019](#))

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

7. Mark Griffin: To ask the Scottish Government whether its local development plan regulations will provide a framework for discounted sale tenure as part of any affordable home ownership requirements. ([S6O-03020](#))

8. Karen Adam: To ask the Scottish Government what it is doing to encourage consumers to support businesses in their communities by shopping locally. ([S6O-03021](#))

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

Written Questions

Questions in which a member has indicated a declarable interest are marked with an "R".

Written questions lodged on 17 January 2024

[S6W-24548 Miles Briggs](#): To ask the Scottish Government what information it has on how many operators of short-term lets that were operational before 1 October 2023 have yet to apply for a short-term let licence.

[S6W-24552 Richard Leonard](#): To ask the Scottish Government what the current salary and any other remuneration is for each of the directors of Caledonian Sleeper Ltd. **R**

[S6W-24556 Sue Webber](#): To ask the Scottish Government what it is doing to urgently provide equitable access to prehabilitation, especially for patients with a less survivable cancer.

[S6W-24557 Sue Webber](#): To ask the Scottish Government what steps it is taking to ensure that patients who require targeted and specialised prehabilitation, as stated in its report, *Key Principles for Implementing Cancer Prehabilitation*, are accessing prehabilitation, and what the outcomes are for these patients.

[S6W-24559 Sue Webber](#): To ask the Scottish Government what is being done to improve access to prehabilitation for less survivable cancers, especially in areas of deprivation.

[S6W-24560 Sue Webber](#): To ask the Scottish Government, in light of the publication of its *Scottish Cancer Strategy for Scotland 2023-2026*, how much funding has been committed specifically to prehabilitation, and when it will be allocated to NHS boards.

[S6W-24561 Sue Webber](#): To ask the Scottish Government what plans it has to monitor equity of access to prehabilitation for cancer patients (a) nationally and (b) in comparison to other UK nations, and at what intervals the figures will be published.

[S6W-24562 Sue Webber](#): To ask the Scottish Government what assessment it has made regarding whether prehabilitation improves oncological outcomes for patients, in light of its *Cancer Action Plan for Scotland 2023-2026*, which emphasises the benefits of prehabilitation.

[S6W-24563 Paul Sweeney](#): To ask the Scottish Government, further to the answer to question S6W-23811 by Maree Todd on 8 January 2024, which outlined existing programmes that could not proceed as planned due to in-year budget changes, whether it will provide further detail on what planned new programmes could not go ahead due to those in-year changes.

[S6W-24564 Maurice Golden](#): To ask the Scottish Government how many people have been banned from keeping animals in each of the last 10 years.

[S6W-24566 Katy Clark](#): To ask the Scottish Government what assessment it has made of any reasons for the proportion of prisoners serving sentences of one year or less increasing by 6% in 2022-23 despite the presumption against short-term sentences.

[S6W-24568 Jeremy Balfour](#): To ask the Scottish Government whether it will provide an update on its progress on distributing any funds that it receives as result of the UK Government's Dormant Assets Scheme.

[S6W-24569 Alexander Stewart](#): To ask the Scottish Government how many online clicks its paper, *Our marine sector in an independent Scotland*, received in its first month following publication, broken down by (a) main paper, (b) easy read version, (c) each individual language version and (d) audio version.

[S6W-24570 Miles Briggs](#): To ask the Scottish Government how many working groups it has established in each year since 1999.

[S6W-24571 Miles Briggs](#): To ask the Scottish Government what recent discussions its ministers have had regarding mandatory braille labelling on food products.

[S6W-24573 Miles Briggs](#): To ask the Scottish Government how many first-time buyers have been assisted to buy a home in each year since 1999.

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

[S6W-24575](#) Miles Briggs: To ask the Scottish Government what mechanism is in place for local authorities to remove home sharing from the scope of the short-term lets licensing legislation.

[S6W-24576](#) Miles Briggs: To ask the Scottish Government what progress is being made to ensure (a) equity in data availability across cancer types and (b) the frequent publication of emergency presentation data for blood cancers, as outlined in its *Cancer Action Plan for Scotland 2023-2026*.

[S6W-24578](#) Miles Briggs: To ask the Scottish Government what assessment it has made of any impact on the Edinburgh festivals in 2024 of any reduction in home-sharing accommodation.

[S6W-24579](#) Donald Cameron: To ask the Scottish Government how many official visits the First Minister has undertaken in Scotland in each year since 16 May 2007, broken down by parliamentary (a) constituency and (b) region.

[S6W-24580](#) Donald Cameron: To ask the Scottish Government how many online clicks its paper, *Social security in an independent Scotland*, received in its first month following publication, broken down by (a) main paper, (b) easy read version, (c) each individual language version and (d) audio version.

[S6W-24581](#) Liam McArthur: To ask the Scottish Government, further to the answer to question S6W-20497 by Jenni Minto on 28 August 2023, whether it will provide an update on the timeline for producing a draft strategy for consultation.

Amendments

New amendments to Bills lodged on 17 January 2024

Wildlife Management and Muirburn (Scotland) Bill — Stage 2

Section 4

Finlay Carson

78 In section 4, page 3, line 42, at end insert—

<(9A) The Scottish Ministers must publish the results of the consultation under subsection (9) and give reasons for any decision reached.>

Karen Adam

79 In section 4, page 6, line 3, at end insert—

<(da) section 19 of the Animal Health and Welfare (Scotland) Act 2006,>

Finlay Carson

80 In section 4, page 7, line 13, at end insert—

<(3A) The Scottish Ministers must publish the results of the consultation under subsection (3) and give reasons for any decision reached.>

Section 7

Jim Fairlie

81 In section 7, page 10, line 17, leave out <1 year> and insert <5 years>

Karen Adam

82 In section 7, page 11, line 31, at end insert—

<(da) section 19 of the Animal Health and Welfare (Scotland) Act 2006,>

Jim Fairlie

83 In section 7, page 12, line 35, after <plant> insert <(including the use of medicated grit for such purposes)>

Finlay Carson

84 In section 7, page 13, line 4, at end insert—

<(5A) The Scottish Ministers must publish the results of the consultation under subsection (5) and give reasons for any decision reached.>

Jim Fairlie

85 In section 7, page 13, line 19, at end insert—

<16AE Monitoring of section 16AA licences and their effect

- (1) The Scottish Ministers must, within 5 years of the day on which—
 - (a) this section comes into effect, or
 - (b) a report was last laid under this subsection,
 lay a report before the Scottish Parliament regarding the matters in subsections (2) and (4).
- (2) Those matters are—
 - (a) the number of licences issued under section 16AA and the area of land affected, in each year covered by the report,
 - (b) the number of such licences that have been, or are, subject to suspension or revocation under section 16AA(8), the duration of those suspensions or revocations, and the reasons for those suspensions or revocations,
 - (c) the number and outcomes of any appeals undertaken under section 16AB, and
 - (d) the number and type of suspected or proven relevant offences associated with the land subject to section 16AA licences.
- (3) The Scottish Ministers must undertake, or support the undertaking of, appropriate monitoring to provide the information necessary to fulfil the reporting requirements of subsection (4).
- (4) The report under subsection (1) must include an assessment of the conservation status, including population size and range, of the birds listed in subsection (5).
- (5) Those species are:
 - (a) Golden Eagle (*aquila chrysaetos*),
 - (b) Hen Harrier (*circus cyaneus*),
 - (c) Peregrine Falcon (*falco peregrinus*),
 - (d) Merlin (*falco columbarius*).
- (6) In this section, “relevant offence” has the meaning given to it in section 16AA.
- (7) The Scottish Ministers may delegate the functions in subsection (3) to Scottish Natural Heritage.
- (8) The Scottish Ministers may by regulations amend the species listed in subsection (5).”.>

Jim Fairlie

- 86 In section 7, page 14, line 1, at end insert—
- <(f) regulations under section 16AE.”.>

Jim Fairlie

- 87 In section 7, page 14, line 4, at end insert—
- <(f) regulations under section 16AE.”.>

Section 10

Kate Forbes

88 In section 10, page 14, line 36, at end insert—

<() preventing, or reducing the risk of, wildfires causing damage to habitats,>

Kate Forbes

89 In section 10, page 15, line 5, leave out <restoring> and insert <conserving, restoring, enhancing or managing>

Alasdair Allan

90 In section 10, page 15, line 5, at end insert—

<() as part of a reseeded plan by crofters to provide or improve grazing,>

Kate Forbes

91 In section 10, page 15, line 20, leave out <and>

Kate Forbes

92 In section 10, page 15, line 22, at end insert <, and

() must include evidence that the person who will make muirburn has completed a training course approved under section (*Approved training courses*).>

Finlay Carson

93 In section 10, page 15, line 31, at end insert—

<() The Scottish Ministers must publish the results of the consultation under subsection (6) and give reasons for any decision reached.>

Alasdair Allan

94 In section 10, page 15, line 37, at end insert—

<() In this section, “crofter” has the meaning given in section 61 of the Crofters (Scotland) Act 1993.>

Section 11

Kate Forbes

95 In section 11, page 16, leave out lines 2 to 6 and insert—

<() The Scottish Ministers must grant a licence permitting muirburn to be made on land to which an application under section 10 relates for a purpose specified in the application if—

(a) they are satisfied that the person is a fit and proper person, having regard in particular to the applicant’s compliance with the Muirburn Code,>

Kate Forbes

96 In section 11, page 16, line 6, leave out <and>

Alasdair Allan

97 In section 11, page 16, line 9, leave out <available> and insert <practicable>

Kate Forbes

98 In section 11, page 16, line 9, at end insert <, and

() they are satisfied that the person who will make muirburn has completed a training course approved under section (*Approved training courses*).>

After section 13

Kate Forbes

99 After section 13, insert—

<Approved training courses

- (1) The Scottish Ministers are to approve training courses on muirburn and the Muirburn Code.
- (2) The Scottish Ministers may—
 - (a) determine training requirements, such as—
 - (i) the form and content of the training course,
 - (ii) require a person providing training to meet specified criteria (such as having relevant experience or holding a particular qualification),
 - (b) accredit courses and the persons providing courses,
 - (c) determine the minimum criteria for successful completion of courses, and
 - (d) determine how successful completion of such courses is to be recorded.>

Section 14

Finlay Carson

100 In section 14, page 18, line 17, at end insert—

<() The Scottish Ministers must publish the results of the consultation under subsection (5) and give reasons for any decision reached.>

Section 16

Kate Forbes

101 In section 16, page 19, line 28, leave out <1 October> and insert <15 September>

Kate Forbes

102 In section 16, page 19, line 29, leave out <15 April> and insert <31 March>

Finlay Carson

103 In section 16, page 20, line 8, at end insert—

<() The Scottish Ministers must publish the results of the consultation under subsection (5) and give reasons for any decision reached.>

After section 17

Kate Forbes

104 In section 17, page 20, line 16, at end insert—

<() the approval of training courses under section (*Approved training courses*),>

Section 18

Finlay Carson

105 In section 18, page 21, line 6, at end insert—

<() The Scottish Ministers must publish the results of the consultation under subsection (3) and give reasons for any decision reached.>

Children (Care and Justice) (Scotland) Bill — Stage 2 After

section 1

Miles Briggs

119 After section 1, insert—

<Neurodevelopmental assessment

- (1) The 2011 Act is amended as follows.
- (2) After section 31 insert—

“31A Neurodevelopmental assessment

- (1) This section applies where by virtue of this Act a children's hearing, pre-hearing panel or court is coming to a decision about a matter relating to a child.
- (2) The children's hearing, pre-hearing panel or court must ensure that the child receives a neurodevelopmental assessment where the child has an existing diagnosis for—
 - (a) autism spectrum disorder,
 - (b) Attention Deficit Hyperactivity Disorder.”>

Miles Briggs

120 After section 1, insert—

<Autism assessment

- (1) The 2011 Act is amended as follows.
- (2) After section 31 insert—

“31A Autism assessment

- (1) This section applies where by virtue of this Act a children's hearing, pre-hearing panel or court is coming to a decision about a matter relating to a child.
- (2) Where the child has an existing diagnosis for Attention Deficit Hyperactivity Disorder,

the children’s hearing, pre-hearing panel or court must ensure that the child receives an assessment for autism spectrum disorder.”.>

Miles Briggs

121 After section 1, insert—

<ADHD assessment

- (1) The 2011 Act is amended as follows.
- (2) After section 31 insert—

“31A ADHD assessment

- (1) This section applies where by virtue of this Act a children's hearing, pre-hearing panel or court is coming to a decision about a matter relating to a child.
- (2) Where the child has an existing diagnosis for autism spectrum disorder, the children’s hearing, pre-hearing or court must ensure that the child receives an assessment for Attention Deficit Hyperactivity Disorder.”.>

After section 6

Willie Rennie

122 After section 6, insert—

<Duty to establish an information sharing system

- (1) The Scottish Ministers must by regulations establish a system to provide information from the children’s hearings system to the person affected by the child’s offence or behaviour through a single point of contact, which may be a victim support organisation.
- (2) Regulations under subsection (1) must provide—
 - (a) for a tiered approach to information-sharing under which—
 - (i) specified information must always provided to the person affected by the child’s offence or behaviour, unless that person indicates that they do not wish to receive the information,
 - (ii) a risk assessment is carried out in each case to determine what other information should be provided to the person affected by the child’s offence or behaviour, unless that person indicates that they do not wish to receive the information,
 - (iii) where a child is released from secure accommodation or transferred to an adult prison, the person affected by the child’s offence or behaviour should be notified, unless that person indicates that they do not wish to be notified.
 - (b) that information should be provided in a way that accords with trauma-informed practice,
 - (c) that information should be provided in an accessible format,
 - (d) for information-sharing arrangements to be put in place between relevant bodies including—
 - (i) Children’s Hearings Scotland
 - (ii) the Scottish Children’s Reporter Administration,
 - (iii) Police Scotland,

- (iv) local authorities.
- (3) Information specified under subsection 2(a)(i) must include information on—
 - (a) the joint reporting process,
 - (b) how the children’s hearings system works,
 - (c) where to access victim support,
 - (d) where there is a referral to a children’s hearing—
 - (i) the date of the children’s hearing,
 - (ii) the outcome of the children’s hearing, but only to the extent that the information is relevant to safety planning for the person affected by the child’s offence or behaviour,
 - (e) where there is no referral to a children’s hearing, that this is the case.
- (4) Information that may be provided under subsection 2(a)(ii) may include information on—
 - (a) whether a compulsory supervision order has been made, varied, continued or terminated,
 - (b) the conditions of any compulsory supervision order relevant to the person affected by the child’s offence or behaviour,
 - (c) what constitutes non-compliance with a compulsory supervision order,
 - (d) what action will be taken in the event the child does not comply with a compulsory supervision order,
 - (e) where the child has not complied with a compulsory supervision order, any review of the conditions of the order.
- (5) Regulations under subsection (1) may provide that, where a person affected by the child’s offence or behaviour is also a child, information may be shared with a relevant person in relation to that child.
- (6) Regulations under subsection (1) are subject to the affirmative procedure.
- (7) In this section—
 - (a) “relevant person” has the meaning given by section 200 of the 2011 Act,
 - (b) “trauma-informed practice” means operating in a way that—
 - (i) recognises that a person may have experienced trauma,
 - (ii) understands the effects which trauma may have on the person, and
 - (iii) involves adapting processes and practices, based on that understanding of the effects of trauma, to seek to avoid, or minimise the risk of, exposing the person to—
 - (A) any recurrence of past trauma, or
 - (B) further trauma.>

Willie Rennie

123 After section 6, insert—

<Report on victims

- (1) The Scottish Ministers must, as soon as reasonably practicable after the end of each reporting period, prepare and publish a report on the experience of victims in cases where a child is referred to a

children’s hearing on the ground that the child has committed an offence.

- (2) A report under subsection (1) must include the following information for each reporting period—
- (a) the number of referrals,
 - (b) the number of referrals where a victim of the child’s offence was identified by an agency, by reference to each of the following characteristics—
 - (i) the type offence,
 - (ii) the age profile of the victim,
 - (c) the information and support given to victims by each agency,
 - (d) where victims were not identified, information about the reasons why this was the case.
- (3) For the purposes of subsection (2) an “agency” includes—
- (a) the Crown Office and Procurator Fiscal Service,
 - (b) Police Scotland,
 - (c) Children’s Hearings Scotland
 - (d) the Scottish Children’s Reporter Administration.
- (4) For the purposes of subsection (1), a reporting period is—
- (a) the period of 6 months beginning with the day of Royal Assent,
 - (b) each subsequent period of one year.>

Section 12

Ruth Maguire

124 In section 12, page 8, line 23, at end insert—

- <(2A) Subject to subsection (4) and section 106B, no publication is to include information relating to a deceased person that is likely to lead to the identification of that person as having been—
- (a) a person against or in respect of whom an offence is suspected to have been committed, and
 - (b) aged under 18 at the date of commission of the suspected offence.>

Ruth Maguire

125 In section 12, page 8, line 24, leave out <and (2)> and insert <to (2A)>

Ruth Maguire

126 In section 12, page 8, line 30, at end insert—

- <(3A) For the purposes of subsection (2A), information relating to a deceased person includes in particular—
- (a) the deceased person’s name,
 - (b) the address at which the deceased person resided prior to the person's death,
 - (c) the identity of any school or other educational establishment that was attended by

- the deceased person prior to the person's death,
- (d) any still or moving picture of the deceased person,
- (e) any of the information set out in subsection (3) in relation to a family member of the deceased person.>

Ruth Maguire

127 In section 12, page 8, line 38, at end insert—

<“family member”, in relation to a deceased person, means—

- (a) the person's—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
- (b) the spouse or civil partner of any person listed in paragraph (a),>

Ruth Maguire

128 In section 12, page 8, line 40, at end insert—

<“parent” has the same meaning as in section 108,>

Ruth Maguire

129 In section 12, page 9, line 5, at end insert—

<“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

130 In section 12, page 9, line 8, leave out <and (2)> and insert <to (2A)

Ruth Maguire

131 In section 12, page 9, line 13, after <relates,> leave out <or> and insert—

<(ca) if the person to whom the relevant information relates is deceased, a parent, sibling, child or spouse or civil partner of the deceased person, or>

Ruth Maguire

Amendments | Atharrachaidhean

132 In section 12, page 9, line 21, at end insert—

<(aa) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,>

Ruth Maguire

133 In section 12, page 9, line 27, at end insert—

<(iiia) if the person to whom the relevant information relates is deceased, a family member of the deceased person,>

Ruth Maguire

134 In section 12, page 9, line 32, at end insert—

<“family member”, in relation to a deceased person, means—

(a) the person’s—

(i) spouse or civil partner,

(ii) child,

(iii) parent,

(iv) sibling,

(v) aunt or uncle,

(vi) nephew or niece,

(vii) cousin,

(viii) grandparent, and

(b) the spouse or civil partner of any person listed in paragraph (a),>

Ruth Maguire

135 In section 12, page 10, line 2, leave out <or (2)> and insert <to (2A)>

Ruth Maguire

136 In section 12, page 10, line 4, at end insert—

<“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

137 In section 12, page 10, line 4, at end insert—

<106C Power to retrospectively require removal of report of suspected offences

(1) A sheriff may by order require the taking of reasonable steps to withdraw from public availability any publication which—

(a) was published prior to—

(i) the date on which section 106A came into force, and

- (ii) the commencement of proceedings in a court in respect of the offence to which the information mentioned in subsection (b) relates (but see sections 47F to 47H of the Criminal Procedure (Scotland) Act 1995 which allow for equivalent orders to be made in respect of proceedings involving children), and
 - (b) includes information mentioned in section 106A(1), (2) or (2A) in respect of a person, including a deceased person, who is identified in the order.
- (2) A person who is served with or otherwise made aware of the existence of an order made under subsection (1) may comply with the order by withdrawing from public availability only so much of the publication as contains the restricted information.
- (3) A person who is served with or otherwise made aware of the existence of an order made under subsection (1), and who fails to comply with the order, commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) It is a defence for any person charged with an offence under this section ("P") to prove that P reasonably believed that P had taken reasonable steps to ensure that the publication or (as the case may be) the restricted information was withdrawn from public availability.
- (5) A sheriff may make an order under subsection (1) on the application of—
 - (a) a constable,
 - (b) a prosecutor,
 - (c) the person to whom the relevant information relates, or
 - (d) if the person to whom the relevant information relates is deceased, a parent, sibling, child or spouse or civil partner of that person.
- (6) An application for an order under subsection (1) shall be made to the sheriff by way of a summary application.
- (7) An order made under subsection (1) may be varied or revoked by a sheriff, at any time, on the application of—
 - (a) the person to whom the restricted information relates,
 - (b) if the person to whom the restricted information relates is deceased, a parent, sibling, child or spouse or civil partner of that person,
 - (c) a person to whom the order applies, or
 - (d) a media representative.
- (8) A sheriff may vary or revoke an order further to an application made under subsection (7) in respect of particular restricted information, particular publications or particular persons, or generally.
- (9) In considering whether to make an order under subsection (1), or to vary or revoke an order under subsection (7), the sheriff must consider whether it is in the interests of justice, or otherwise in the public interest, to do so.
- (10) In determining whether it is in the interests of justice or otherwise in the public interest to make an order under subsection (1) or to vary or revoke an order under subsection (7), the sheriff must—
 - (a) have regard to the wellbeing of the person to whom the relevant information relates,
 - (b) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,

- (c) consider whether any of the following persons should be given the opportunity to make representations—
- (i) the person who made the relevant application to the sheriff,
 - (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) the person or persons to whom the order applies or would apply,
 - (vi) a media representative,
 - (vii) any other person the sheriff considers to have an interest in the application.
- (11) In a case where there is a section of the public that is already aware of the identity of a person who—
- (a) is a person by whom an offence is or was suspected to have been committed,
 - (b) is or (as the case may be) was a person against or in respect of whom an offence is or was suspected to have been committed, or
 - (c) is or was suspected to have been a witness in relation to an offence,
- the sheriff must not consider this to be a factor in favour of refusing to make the order sought under subsection (1) or in favour of varying or revoking an order under subsection (7).
- (12) In this section—
- “constable” has the same meaning as in section 99(1) of the Police and Fire Reform (Scotland) Act 2012,
- “family member”, in relation to a person (including a deceased person), means—
- (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
 - (b) the spouse or civil partner of any person listed in paragraph (a),
- “media representative” means—
- (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or

- (b) a representative of a newspaper or news agency,
- “parent” has the same meaning as in section 108,
- “prosecutor” means the Lord Advocate, Crown Counsel or the procurator fiscal,
- “publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public,
- “relevant information” means the information to which an application relates,
- “relevant programme” means a programme included in a programme service, within the meaning of the Broadcasting Act 1990,
- “restricted information” means the information in respect of which an order is made under subsection (1),
- “sibling”, in relation to a person (including a deceased person), means a person who has or had at least one parent in common with that person,
- “spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

138 In section 12, page 10, line 4, at end insert—

<106D Power to reinstate restriction on report of suspected offences

- (1) This section applies where—
 - (a) a restriction imposed by section 106A has been dispensed with under section 106B, and
 - (b) section 106A(4) would not otherwise apply to the restriction.
- (2) A sheriff may by order reinstate the restriction in whole or in part.
- (3) An order under subsection (2)—
 - (a) may not be made in respect of a restriction that applied by virtue of section 106A(2)(b),
 - (b) may be made at any time.
- (4) An order under subsection (2) may reinstate the restriction, in whole or in part, such that no publication may include the information mentioned in section 106A(1), (2) or (as the case may be) (2A)—
 - (a) until the occurrence of a particular event or particular circumstances,
 - (b) in respect of restricted information relating to a living person—
 - (i) until the person to whom the restricted information relates reaches a particular age,
 - (ii) during the lifetime of the person to whom the restricted information relates,
 - (c) in respect of restricted information relating to a deceased person, until—
 - (i) the death of any specified family member of the deceased person to whom the restricted information relates,
 - (ii) the date on which any specified family member of the deceased person reaches

a specified age, or

- (d) for the duration of any other period the sheriff deems appropriate in all the circumstances.
- (5) A sheriff may make an order under subsection (2) on the application of—
- (a) the person to whom the relevant information relates, or
 - (b) if the person to whom the relevant information relates is deceased, a parent, sibling, child or spouse or civil partner of that person.
- (6) An application for an order under subsection (2) shall be made to the sheriff by way of a summary application.
- (7) An order made under subsection (2) may be varied or revoked, at any time, on the application of—
- (a) the person to whom the restricted information relates,
 - (b) if the person to whom the restricted information relates is deceased, a parent, sibling, child or spouse or civil partner of that person, or
 - (c) a media representative.
- (8) A sheriff may vary or revoke an order further to an application made under subsection (7) in respect of particular restricted information, particular publications or particular persons, or generally.
- (9) In considering whether to make an order under subsection (2), or to vary or revoke an order under subsection (7), the sheriff must consider whether it is in the interests of justice, or otherwise in the public interest, to do so.
- (10) In determining whether it is in the interests of justice or otherwise in the public interest to make an order under subsection (2) or to vary or revoke an order under subsection (7), the sheriff must—
- (a) have regard to the wellbeing of the person to whom the relevant information relates,
 - (b) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,
 - (c) consider whether any of the following persons should be given the opportunity to make representations—
 - (i) the person who made the relevant application to the sheriff,
 - (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) the person or persons to whom the order applies or would apply,
 - (vi) a media representative,
 - (vii) any other person the sheriff considers to have an interest in the application.
- (11) In a case where there is a section of the public that is already aware of the identity of a

person who—

- (a) is or (as the case may be) was a person by whom an offence is or was suspected to have been committed, or
- (b) is or (as the case may be) was a person against or in respect of whom an offence is or was suspected to have been committed,

the sheriff must not consider this to be a factor in favour of refusing to make the order sought under subsection (2) or in favour of varying or revoking an order under subsection (7).

(12) In this section—

“family member”, in relation to a deceased person, means—

- (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
- (b) the spouse or civil partner of any person listed in paragraph (a),

“media representative” means—

- (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or
- (b) a representative of a newspaper or news agency,

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“relevant information” means the information to which an application relates,

“restricted information” means the information that is the subject of a restriction by virtue of an order made under subsection (2),

“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Section 13

Ruth Maguire

139 In section 13, page 10, line 23, at end insert—

<(1AA) Subject to subsection (3), no publication is to include information relating to a deceased

person to whom any proceedings in a court relate if—

- (a) that information is likely to lead to the identification of the deceased person as having been a person against or in respect of whom a relevant offence is alleged to have been committed, and
- (b) the person was aged under 18 at the alleged date of commission of the relevant offence.>

Ruth Maguire

140 In section 13, page 10, line 30, at end insert—

<(1BA) For the purposes of subsection (1AA), information relating to a deceased person includes in particular—

- (a) the deceased person's name,
- (b) any address at which the deceased person resided, whether at the time of the alleged offence or any other time,
- (c) the identity of any school or other educational establishment that was attended by the deceased person prior to the person's death,
- (d) any still or moving picture of the deceased person,
- (e) any of the information set out in subsection (1B) in relation to a family member of the deceased person.>

Ruth Maguire

141 In section 13, page 10, line 37, after <subsection (3)> insert <and section 47BA>

Ruth Maguire

142 In section 13, page 10, line 39, at end insert—

<(1E) Subject to section 47BA, subsection (1AA) applies until the date of completion of the proceedings.>

Ruth Maguire

143 In section 13, page 11, leave out lines 28 to 30 and insert—

- <(a) either—
 - (i) a court decides not to make an order under section 47BA(1) to extend the period during which the restriction imposed by subsection (1) is to apply, or
 - (ii) a court decides not to make an order under section 47BA(1) to extend the period during which a restriction imposed by subsection (1A) or (as the case may be) subsection (1AA) is to apply, and>

Ruth Maguire

144 In section 13, page 11, line 34, after <subsection (1)> insert <or (as the case may be) (1A) or (1AA)>

Ruth Maguire

145 In section 13, page 12, line 1, at end insert—

<“family member”, in relation to a deceased person, means—

(a) the person’s—

(i) spouse or civil partner,

(ii) child,

(iii) parent,

(iv) sibling,

(v) aunt or uncle,

(vi) nephew or niece,

(vii) cousin,

(viii) grandparent, and

(b) the spouse or civil partner of any person listed in paragraph (a),

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,>

Ruth Maguire

146 In section 13, page 12, line 8, at end insert—

<“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

147 In section 13, page 13, line 5, at end insert <: persons accused of a relevant offence>

Ruth Maguire

148 In section 13, page 13, line 26, at end insert —

<47BA Power to extend period of restriction on report of proceedings: persons in respect of whom a relevant offence is alleged to have been committed

- (1) Subject to subsection (2), in any proceedings to which section 47(1A) or (1AA) applies, the court may make an order extending the period during which the restriction imposed by the relevant subsection is to apply unless the court considers that it would be contrary to the public interest to do so.
- (2) An order under subsection (1) may not be made in respect of a restriction applying by virtue of section 47A(1A)(a)(ii).
- (3) An order under subsection (1) may extend the restriction so that no publication may include the information mentioned in section 47(1A) or (as the case may be) 47(1AA)—
 - (a) until the occurrence of a particular event or particular circumstances,
 - (b) in respect of a restriction applying by virtue of section 47(1A)—
 - (i) until the person to whom the information relates reaches a particular age,

- (ii) during the lifetime of the person to whom the information relates,
 - (c) in respect of a restriction applying by virtue of section 47(1AA), until—
 - (i) the death of any specified family member of the deceased person to whom the information relates,
 - (ii) the date on which any specified family member of the deceased person reaches a specified age, or
 - (d) for the duration of any other period the court deems appropriate in all the circumstances.
- (4) The court may make an order under subsection (1)—
 - (a) of its own accord,
 - (b) on the application of the prosecutor,
 - (c) in respect of a restriction applying by virtue of section 47(1A), on the application of the person to whom the information relates, or
 - (d) in respect of a restriction applying by virtue of section 47(1AA), on the application of a parent, sibling, child or spouse or civil partner of the deceased person to whom the information relates.
- (5) An order made by a court under subsection (1) may be varied or revoked by the court, at any time, on the application of—
 - (a) the person to whom the information relates,
 - (b) if the person to whom the information relates is deceased, a parent, sibling, child or spouse or civil partner of that person, or
 - (c) a media representative.
- (6) In this section—
 - “family member”, in relation to a deceased person, means—
 - (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
 - (b) the spouse or civil partner of any person listed in paragraph (a),
 - “media representative” means—
 - (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or
 - (b) a representative of a newspaper or news agency,

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

149 In section 13, page 13, line 31, leave out <or> and insert—

<() where the person to whom the information relates is deceased, a parent, sibling, child or spouse or civil partner of that person, or>

Ruth Maguire

150 In section 13, page 14, line 2, at end insert—

<“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

151 In section 13, page 15, line 13, at end insert—

<47E Decisions as to public interest for purposes of section 47BA

- (1) This section applies where, for the purposes of section 47BA, it falls to a court to determine whether it would be contrary to the public interest to make an order extending the period during which a restriction imposed by virtue of section 47(1A) or (1AA) is to apply.
- (2) In determining whether it is in the public interest to extend a restriction applying by virtue of section 47(1A), the court—
 - (a) must have regard, in particular, to—
 - (i) the age and maturity of the person against or in respect of whom a relevant offence was committed, or was alleged to have been committed, at the date of commission or alleged commission of the offence,
 - (ii) the age and maturity of the person to whom the information relates at the time of determining whether it is in the public interest to extend the restriction,
 - (iii) the effect that extending or (as the case may be) not extending the period of the restriction may have on that person’s wellbeing,
 - (iv) the views of that person so far as they are reasonably ascertainable,
 - (v) whether publication of the information may result in a risk of harm to any other person, and
 - (b) must, if the person in respect of whom the relevant restriction applies is aged under 18 at the date of determining what is in the public interest—

- (i) treat the factor mentioned at paragraph (a)(iii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18.
- (3) In determining whether it is in the public interest to extend a restriction applying by virtue of section 47(1AA), the court—
 - (a) must have regard, in particular, to—
 - (i) the effect that extending or (as the case may be) not extending the period of the restriction may have on the wellbeing of any family member of the deceased person in question, including by virtue of the age of the deceased person at the date of commission or alleged commission of the relevant offence,
 - (ii) the age and maturity of any family member of the deceased at the time of determining whether it is in the public interest to extend the restriction,
 - (iii) the views of such family member so far as they are reasonably ascertainable,
 - (iv) whether publication of the information may result in a risk of harm to any other person, and
 - (b) must, if any family member of the deceased person is aged under 18 at the date of determining what is in the public interest, treat as a primary consideration the factor mentioned at paragraph (a)(i) (effect on wellbeing) as it applies to that family member.
- (4) In a case where there is a section of the public that is already aware of the identity of a person, including a deceased person, who is or (as the case may be) was a person against or in respect of whom a relevant offence is alleged to have been committed, the court must not consider this to be a factor in favour of refusing to extend the restriction imposed by section 47(1A) or (as the case may be) (1AA).
- (5) In this section—
 - “family member”, in relation to a deceased person, means—
 - (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
 - (b) the spouse or civil partner of any person listed in paragraph (a),
 - “parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,
 - “relevant offence” means an alleged offence to which the proceedings relate,
 - “sibling”, in relation to a deceased person, means a person who had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

152 In section 13, page 15, line 13, at end insert—

<47F Power to retrospectively require removal of report of proceedings: person accused of a relevant offence

- (1) In any proceedings to which section 47(1) applies, the court may make an order requiring the taking of reasonable steps to withdraw from public availability any publication which—
 - (a) was published prior to the date on which section 13 of the Children (Care and Justice) (Scotland) Act 2024 came into force, and
 - (b) includes the information mentioned in section 47(1) in relation to a person who is identified in the order.
- (2) A person who is served with or otherwise made aware of the existence of an order made under subsection (1) may comply with the order by withdrawing from public availability only so much of the publication as contains the restricted information.
- (3) A person who is served with or otherwise made aware of the existence of an order made under subsection (1), and who fails to comply with the order, commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) It is a defence for any person charged with an offence under this section ("P") to prove that P reasonably believed that P had taken reasonable steps to ensure that the publication or (as the case may be) the restricted information was withdrawn from public availability.
- (5) The court may make an order under subsection (1)—
 - (a) of its own accord,
 - (b) on the application of the prosecutor, or
 - (c) on the application of the person to whom the information relates.
- (6) An order made by a court under subsection (1) may be varied or revoked by the court, at any time, on the application of—
 - (a) the person to whom the information relates,
 - (b) a person to whom the order applies, or
 - (c) a media representative.
- (7) The court may vary or revoke an order further to an application made under subsection (6) in respect of particular restricted information, particular publications or particular persons, or generally.
- (8) In considering whether to make an order under subsection (1), or to vary or revoke an order under subsection (6), the court must consider whether it is in the public interest, to do so.
- (9) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (6), the court must—
 - (a) have regard, in particular, to—
 - (i) the age and maturity of the person to whom the information relates at the date of commission of the offence,

- (ii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's wellbeing,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's rehabilitation or reintegration,
 - (iv) whether not making or (as the case may be) varying or revoking the order may constitute additional and disproportionate punishment,
 - (v) whether the publication or continued public availability of the relevant information may result in a risk of harm to any other person,
- (b) if the person to whom the information relates is aged under 18 at the date of determining what is in the public interest—
- (i) treat the factor mentioned at paragraph (a)(ii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18,
- (c) consider whether any of the following persons should be given the opportunity to make representations—
- (i) the person who made the relevant application to the court,
 - (ii) the person to whom the information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) the person or persons to whom the order applies or would apply,
 - (v) a media representative,
 - (vi) any other person the court considers to have an interest in the application.
- (10) In a case where there is a section of the public that is already aware of the identity of a person who is accused of a relevant offence, the court must not consider this to be a factor in favour of refusing to make the order sought under subsection (1) or in favour of varying or revoking an order under subsection (6).
- (11) In this section—
- “media representative” means—
 - (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or
 - (b) a representative of a newspaper or news agency,
 - “parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,
 - “publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public,
 - “relevant offence” means an alleged offence to which the proceedings relate,
 - “relevant programme” means a programme included in a programme service, within the meaning of the Broadcasting Act 1990,
 - “restricted information” means the information in respect of which an order is made under subsection (1).

47G Power to retrospectively require removal of report of proceedings: persons against or in respect of whom a relevant offence is alleged to have been committed

- (1) Subject to subsection (2), in any proceedings to which section 47(1A) or (1AA) applies, the court may make an order requiring the taking of reasonable steps to withdraw from public availability any publication which—
 - (a) was published prior to the date on which section 13 of the Children (Care and Justice) (Scotland) Act 2024 came into force, and
 - (b) includes the information mentioned in section 47(1A) or (1AA) in relation to a person, including a deceased person, who is identified in the order.
- (2) An order under subsection (1) may not be made in respect of information of the type mentioned in section 47A(1A)(a)(ii).
- (3) A person who is served with or otherwise made aware of an order made under subsection (1) may comply with the order by withdrawing from public availability only so much of the publication as contains the restricted information.
- (4) A person who is served with or otherwise made aware of an order made under subsection (1), and who fails to comply with the order, commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (5) It is a defence for any person charged with an offence under this section ("P") to prove that P reasonably believed that P had taken reasonable steps to ensure that the publication or (as the case may be) the restricted information was withdrawn from public availability.
- (6) The court may make an order under subsection (1)—
 - (a) of its own accord,
 - (b) on the application of the prosecutor,
 - (c) on the application of the person to whom the information relates, or
 - (d) if the person to whom the information relates is deceased, on the application of a parent, sibling, child or spouse or civil partner of that person.
- (7) An order made by a court under subsection (1) may be varied or revoked by the court, at any time, on the application of—
 - (a) the person to whom the information relates,
 - (b) if the person to whom the information relates is deceased, a parent, sibling, child or spouse or civil partner of that person,
 - (c) a person to whom the order applies, or
 - (d) a media representative.
- (8) The court may vary or revoke an order further to an application made under subsection (7) in respect of particular restricted information, particular publications or particular persons, or generally.
- (9) In considering whether to make an order under subsection (1), or to vary or revoke an order under subsection (7), the court must consider whether it is in the public interest to do so.
- (10) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (7), the court must—
 - (a) have regard, in particular, to—

- (i) the age and maturity of the person to whom the information relates at the date of commission or alleged commission of the offence,
 - (ii) the age and maturity of the person to whom the information relates at the time of determining whether it is in the public interest to extend the restriction,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's wellbeing,
 - (iv) the views of that person so far as they are reasonably ascertainable,
 - (v) whether publication of the information may result in a risk of harm to any other person,
- (b) if the person to whom the information relates is aged under 18 at the date of determining what is in the public interest—
- (i) treat the factor mentioned at paragraph (a)(iii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18, and
- (c) consider whether any of the following persons should be given the opportunity to make representations—
- (i) the person who made the relevant application to the court,
 - (ii) the person to whom the information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) the person or persons to whom the order applies or would apply,
 - (v) a media representative,
 - (vi) any other person the court considers to have an interest in the application.
- (11) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (7), in respect of information relating to a person who is deceased, the court must—
- (a) have regard, in particular, to—
 - (i) the effect that making, not making or (as the case may be) varying or revoking the order may have on the wellbeing of any family member of the deceased person in question, including by virtue of the age of the deceased person at the date of commission or alleged commission of the relevant offence,
 - (ii) the age and maturity of any family member of the deceased at the time of determining whether it is in the public interest to make, vary or revoke the order,
 - (iii) the views of such family member so far as they are reasonably ascertainable,
 - (iv) whether publication of the information may result in a risk of harm to any other person,
 - (b) if any family member of the deceased person is aged under 18 at the date of determining what is in the public interest, treat as a primary consideration the factor mentioned at paragraph (a)(i) (effect on wellbeing) as it applies to that family member, and
 - (c) consider whether any of the following persons should be given the opportunity to make

representations—

- (i) the person who made the relevant application to the court,
 - (ii) a family member of the deceased person to whom the information relates,
 - (iii) the person or persons to whom the order applies or would apply,
 - (iv) a media representative,
 - (v) any other person the court considers to have an interest in the application.
- (12) In a case where there is a section of the public that is already aware of the identity of a person, including a deceased person, who is or (as the case may be) was a person against or in respect of whom a relevant offence is or was alleged to have been committed, the court must not consider this to be a factor in favour of refusing to make the order sought under subsection (1) or in favour of varying or revoking an order under subsection (7).
- (13) In this section—

“family member”, in relation to a deceased person, means—

- (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
- (b) the spouse or civil partner of any person listed in paragraph (a),

“media representative” means—

- (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or
- (b) a representative of a newspaper or news agency,

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public,

“relevant offence” means an alleged offence to which the proceedings relate,

“relevant programme” means a programme included in a programme service, within the meaning of the Broadcasting Act 1990,

“restricted information” means the information in respect of which an order is made under subsection (1),

“sibling” in relation to a person (including a deceased person), means a person who has or had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

153 In section 13, page 15, line 13, at end insert—

<47H Power to retrospectively require removal of reporting of concluded court proceedings

- (1) A sheriff may make an order requiring the taking of reasonable steps to withdraw from public availability any publication which—
 - (a) includes information relating to a person identified in the order who was concerned in any concluded proceedings in a court, if—
 - (i) that information is likely to lead to the identification of the person as having been a person accused of a relevant offence, and
 - (ii) the person was aged under 18 at the alleged date of commission of the relevant offence,
 - (b) includes information relating to a person identified in the order who was concerned in any concluded proceedings in a court if—
 - (i) that information is likely to lead to the identification of the person as being a person against or in respect of whom a relevant offence was alleged to have been committed, and
 - (ii) the person was aged under 18 at the date of commencement of the proceedings,
 - (c) includes information relating to a deceased person identified in the order to whom any concluded proceedings in a court related, if—
 - (i) that information is likely to lead to the identification of the deceased person as having been a person against or in respect of whom a relevant offence was alleged to have been committed, and
 - (ii) the deceased person was aged under 18 at the alleged date of commission of the relevant offence.
- (2) A person who is served with or otherwise made aware of an order made under subsection (1) may comply with the order by withdrawing from public availability only so much of the publication as contains the restricted information.
- (3) A person who is served with or otherwise made aware of an order made under subsection (1), and who fails to comply with the order, commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) It is a defence for any person charged with an offence under this section ("P") to prove that P reasonably believed that P had taken reasonable steps to ensure that the publication or (as the case may be) the restricted information was withdrawn from public availability.
- (5) An application for an order under subsection (1) shall be made to the sheriff by way of a summary application.
- (6) A sheriff may make an order under subsection (1) on the application of—
 - (a) the person to whom the relevant information relates, or
 - (b) if the person to whom the relevant information relates is deceased, a parent, sibling, child or spouse or civil partner of that person.

- (7) An order under subsection (1) may require that restricted information need only be withdrawn from public availability—
- (a) until the occurrence of a particular event or particular circumstances,
 - (b) in respect of restricted information of the type mentioned in subsection (1)(a) or (b)—
 - (i) until the person to whom the information relates reaches a particular age,
 - (ii) during the lifetime of the person to whom the information relates,
 - (c) in respect of restricted information of the type mentioned in subsection (1)(c), until—
 - (i) the death of any specified family member of the deceased person to whom the information relates,
 - (ii) the date on which any specified family member of the deceased person reaches a specified age, or
 - (d) for the duration of any other period the sheriff deems appropriate in all the circumstances.
- (8) An order made under subsection (1) may be varied or revoked by a sheriff, at any time, on the application of—
- (a) the person to whom the restricted information relates,
 - (b) if the person to whom the restricted information relates is deceased, a parent, sibling, child or spouse or civil partner of that person,
 - (c) a person to whom the order applies, or
 - (d) a media representative.
- (9) A sheriff may vary or revoke an order further to an application made under subsection (8) in respect of particular restricted information, particular publications or particular persons, or generally.
- (10) In considering whether to make an order under subsection (1), or to vary or revoke an order under subsection (8), the sheriff must consider whether it is in the public interest to do so.
- (11) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (8), in respect of information of the type mentioned in subsection (1)(a), the court must—
- (a) have regard, in particular, to—
 - (i) the age and maturity of the person to whom the relevant information relates at the date of commission or alleged commission of the offence,
 - (ii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's wellbeing,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's rehabilitation or reintegration,
 - (iv) whether not making or (as the case may be) varying or revoking the order may constitute additional and disproportionate punishment,
 - (v) whether the publication or continued public availability of the relevant information may result in a risk of harm to any other person,
 - (b) if the person to whom the relevant information relates is aged under 18 at the date of determining what is in the public interest —

- (i) treat the factor mentioned at paragraph (a)(ii) (effect on wellbeing) as a primary consideration, and
- (ii) have no regard to the length of time until the person will reach the age of 18,
- (c) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,
- (d) consider whether any of the following persons should be given the opportunity to make representations—
 - (i) the person who made the relevant application to the sheriff,
 - (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) the person or persons to whom the order applies or would apply,
 - (vi) a media representative,
 - (vii) any other person the sheriff considers to have an interest in the application.
- (12) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (8), in respect of information of the type mentioned in subsection (1)(b), the sheriff must—
 - (a) have regard, in particular, to—
 - (i) the age and maturity of the person to whom the relevant information relates at the date of commission or alleged commission of the offence,
 - (ii) the age and maturity of the person to whom the relevant information relates at the time of determining whether it is in the public interest to make, vary or revoke the order,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's wellbeing,
 - (iv) the views of that person so far as they are reasonably ascertainable,
 - (v) whether the publication or continued public availability of the relevant information may result in a risk of harm to any other person,
 - (b) if the person to whom the relevant information relates is aged under 18 at the date of determining what is in the public interest—
 - (i) treat the factor mentioned at paragraph (a)(iii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18, and
 - (c) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,
 - (d) consider whether any of the following persons should be given the opportunity to make representations—
 - (i) the person who made the relevant application to the sheriff,

- (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) the person or persons to whom the order applies,
 - (vi) a media representative,
 - (vii) any other person the sheriff considers to have an interest in the application.
- (13) In determining whether it is in the public interest to make an order under subsection (1), or to vary or revoke an order under subsection (8), in respect of information of the type mentioned in subsection (1)(c), the sheriff must—
- (a) have regard, in particular, to—
 - (i) the effect that making, not making or (as the case may be) varying or revoking the order may have on the wellbeing of any family member of the deceased person in question, including by virtue of the age of the deceased person at the date of commission or alleged commission of the relevant offence,
 - (ii) the age and maturity of any family member of the deceased at the time of determining whether it is in the public interest to make, vary or revoke the order,
 - (iii) the views of such family member so far as they are reasonably ascertainable,
 - (iv) whether the publication or continued public availability of the relevant information may result in a risk of harm to any other person,
 - (b) if any family member of the deceased person is aged under 18 at the date of determining what is in the public interest, treat as a primary consideration the factor mentioned at paragraph (a)(i) (effect on wellbeing) as it applies to that family member, and
 - (c) consider whether any of the following persons should be given the opportunity to make representations—
 - (i) the person who made the relevant application to the sheriff,
 - (ii) a family member of the deceased person to whom the relevant information relates,
 - (iii) the person or persons to whom the order applies or would apply,
 - (iv) a media representative,
 - (v) any other person the sheriff considers to have an interest in the application.
- (14) In a case where there is a section of the public that is already aware of the identity of a person who—
- (a) committed, or was accused of committing, a relevant offence, or
 - (b) is or (as the case may be) was a person against or in respect of whom a relevant offence was, or was alleged to have been, committed,

the sheriff must not consider this to be a factor in favour of refusing to make the order sought under subsection (1) or in favour of varying or revoking an order under subsection

(8).

(15) In this section—

“family member”, in relation to a deceased person, means—

(a) the person’s—

(i) spouse or civil partner,

(ii) child,

(iii) parent,

(iv) sibling,

(v) aunt or uncle,

(vi) nephew or niece,

(vii) cousin,

(viii) grandparent, and

(b) the spouse or civil partner of any person listed in paragraph (a),

“media representative” means—

(a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or

(b) a representative of a newspaper or news agency,

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public,

“relevant information” means the information to which an application relates,

“relevant offence” means an offence or alleged offence to which the proceedings related,

“relevant programme” means a programme included in a programme service, within the meaning of the Broadcasting Act 1990,

“restricted information” means the information in respect of which an order is made under subsection (1),

“sibling”, in relation to a person (including a deceased person), means a person who has or had at least one parent in common with that person,

“spouse” includes a person who lives with another person as if their spouse or civil partner.>

Ruth Maguire

154 In section 13, page 15, line 13, at end insert—

<47I Power to reinstate reporting restriction after the conclusion of court proceedings

(1) This section applies where a restriction imposed by section 47(1), (1A) or (1AA), and including a restriction that was extended under section 47B or section 47BA, has expired

or otherwise no longer applies by virtue of—

- (a) section 47(1C) to (3),
 - (b) section 47B(2) or (4), or
 - (c) section 47BA(2) or (4).
- (2) At any time following the conclusion of the proceedings by virtue of which the restriction mentioned in subsection (1) applied, and regardless of the outcome of those proceedings, a sheriff may by order reinstate the restriction in whole or in part.
 - (3) An order under subsection (2) may not be made in respect of a restriction that applied by virtue of section 47A(1A)(a)(ii).
 - (4) An order under subsection (2) may reinstate the restriction, in whole or in part, such that no publication may include the restricted information—
 - (a) until the occurrence of a particular event or particular circumstances,
 - (b) in respect of restricted information relating to a living person—
 - (i) until the person to whom the information relates reaches a particular age,
 - (ii) during the lifetime of the person to whom the restricted information relates,
 - (c) in respect of restricted information relating to a deceased person, until—
 - (i) the death of any specified family member of the deceased person to whom the restricted information relates,
 - (ii) the date on which any specified family member of the deceased person reaches a specified age, or
 - (d) for the duration of any other period the sheriff deems appropriate in all the circumstances.
 - (5) A sheriff may make an order under subsection (2) on the application of—
 - (a) the person to whom the relevant information relates, or
 - (b) if the person to whom the relevant information relates is deceased, a parent, sibling, child or spouse or civil partner of that person.
 - (6) An application for an order under subsection (2) shall be made to the sheriff by way of a summary application.
 - (7) An order made under subsection (2) may be varied or revoked, at any time, on the application of—
 - (a) the person to whom the restricted information relates,
 - (b) if the person to whom the restricted information relates is deceased, a parent, sibling, child or spouse or civil partner of that person, or
 - (c) a media representative.
 - (8) A sheriff may vary or revoke an order further to an application made under subsection (7) in respect of particular restricted information, particular publications or particular persons, or generally.
 - (9) In considering whether to make an order under subsection (2), or to vary or revoke an order under subsection (7), the sheriff must consider whether it is in the interests of justice, or otherwise in the public interest, to do so.

- (10) In determining whether it is in the interests of justice or otherwise in the public interest to make an order under subsection (2) or to vary or revoke an order under subsection (7), in respect of information of the type mentioned in section 47(1), the sheriff must—
- (a) have regard, in particular, to—
 - (i) the age and maturity of the person to whom the relevant information relates at the date of commission of the offence,
 - (ii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's wellbeing,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking the order may have on that person's rehabilitation or reintegration,
 - (iv) whether not making or (as the case may be) varying or revoking the order may constitute additional and disproportionate punishment,
 - (v) whether the publication of the relevant information may result in a risk of harm to any other person,
 - (b) if the person to whom the relevant information relates is aged under 18 at the date of determining what is in the public interest—
 - (i) treat the factor mentioned at paragraph (a)(ii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18,
 - (c) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,
 - (d) consider whether any of the following persons should be given the opportunity to make representations—
 - (i) the person who made the relevant application to the sheriff,
 - (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) a media representative,
 - (vi) any other person the sheriff considers to have an interest in the application.
- (11) In determining whether it is in the public interest to make an order under subsection (2), or to vary or revoke an order under subsection (7), in respect of relevant information of the type mentioned in section 47(1A), the sheriff must—
- (a) have regard, in particular, to—
 - (i) the age and maturity of the person to whom the relevant information relates at the date of commission or alleged commission of the offence,
 - (ii) the age and maturity of the person to whom the relevant information relates at the time of determining whether it is in the public interest to make, vary or revoke the order,
 - (iii) the effect that making, not making or (as the case may be) varying or revoking

- the order may have on that person's wellbeing,
- (iv) the views of that person so far as they are reasonably ascertainable,
 - (v) whether the publication of the relevant information may result in a risk of harm to any other person,
- (b) if the person to whom the relevant information relates is aged under 18 at the date of determining what is in the public interest—
- (i) treat the factor mentioned at paragraph (a)(iii) (effect on wellbeing) as a primary consideration, and
 - (ii) have no regard to the length of time until the person will reach the age of 18,
- (c) if the person to whom the relevant information relates is deceased, have regard to the wellbeing of any family member of the deceased,
- (d) consider whether any of the following persons should be given the opportunity to make representations—
- (i) the person who made the relevant application to the sheriff,
 - (ii) the person to whom the relevant information relates,
 - (iii) if the person mentioned in sub-paragraph (ii) is aged under 18, a parent of that person,
 - (iv) if the person mentioned in sub-paragraph (ii) is deceased, a family member of the deceased person,
 - (v) a media representative,
 - (vi) any other person the sheriff considers to have an interest in the application.
- (12) In determining whether it is in the public interest to make an order under subsection (2), or to vary or revoke an order under subsection (7), in respect of relevant information of the type mentioned in section 47(1AA), the sheriff must—
- (a) have regard, in particular, to—
 - (i) the effect that making, not making or (as the case may be) varying or revoking the order may have on the wellbeing of any family member of the deceased person in question, including by virtue of the age of the deceased person at the date of commission or alleged commission of the alleged offence to which the proceedings related,
 - (ii) the age and maturity of any family member of the deceased at the time of determining whether it is in the public interest to make, vary or revoke the order,
 - (iii) the views of such family member so far as they are reasonably ascertainable,
 - (iv) whether the publication of the relevant information may result in a risk of harm to any other person,
 - (b) if any family member of the deceased person is aged under 18 at the date of determining what is in the public interest, treat as a primary consideration the factor mentioned at paragraph (a)(i) (effect on wellbeing) as it applies to that family member, and
 - (c) consider whether any of the following persons should be given the opportunity to make representations—

- (i) the person who made the relevant application to the sheriff,
- (ii) a family member of the deceased person to whom the relevant information relates,
- (iii) a media representative,
- (iv) any other person the sheriff considers to have an interest in the application.

(13) In a case where there is a section of the public that is already aware of the identity of a person who—

- (a) was accused of a relevant offence, or
- (b) is or (as the case may be) was a person against or in respect of whom a relevant offence was suspected to have been committed,

the sheriff must not consider this to be a factor in favour of refusing to make the order sought under subsection (2) or in favour of varying or revoking an order under subsection (7).

(14) In this section—

“family member”, in relation to a deceased person, means—

- (a) the person’s—
 - (i) spouse or civil partner,
 - (ii) child,
 - (iii) parent,
 - (iv) sibling,
 - (v) aunt or uncle,
 - (vi) nephew or niece,
 - (vii) cousin,
 - (viii) grandparent, and
- (b) the spouse or civil partner of any person listed in paragraph (a),

“media representative” means—

- (a) a photographer, camera operator, researcher or producer for, or of, any relevant programme, or
- (b) a representative of a newspaper or news agency,

“parent” has the same meaning as in section 108 of the Criminal Justice (Scotland) Act 2016,

“relevant information” means the information to which an application relates,

“relevant offence” means an alleged offence to which the proceedings related,

“restricted information” means the information in respect of which an order is made under subsection (2),

“sibling”, in relation to a person (including a deceased person), means a person who has or had at least one parent in common with that person,

“spouse or civil partner” includes a person who lives with another person as if

their spouse or civil partner.>

Section 23

Miles Briggs

155 In section 23, page 23, line 29, at end insert—

- <(3) Regulations under subsection (1) must provide that a secure accommodation service may only be approved if it can demonstrate that all staff working with children will undertake training on—
 - (a) the use of restrictive practice, and
 - (b) de-escalation techniques.>

Miles Briggs

156 In section 23, page 23, line 29, at end insert—

- <(3) Regulations under subsection (1) must provide that a secure accommodation service may only be approved if it can demonstrate that all staff working with children will undertake training on learning disabilities and complex needs.
- (4) For the purposes of subsection (3), complex needs includes where a child, in addition to having a learning disability—
 - (a) is autistic,
 - (b) has a mental health diagnosis,
 - (c) has a forensic need,
 - (d) is described as demonstrating challenging behaviour which is of such intensity, frequency or duration as to threaten the quality of life or physical safety of the child or any other person.>

After section 23

Miles Briggs

157 After section 23, insert—

<Use of restrictive practices in secure accommodation: guidance

- (1) The Scottish Ministers must prepare and publish guidance on the use of restrictive practices on children in secure accommodation.
- (2) Guidance under subsection (1) may include information on—
 - (a) the types of restrictive practices which may be used,
 - (b) the circumstances in which restrictive practices may be used,
 - (c) assessing the risks to the physical and mental wellbeing of the child of the use of restrictive practices,
 - (d) de-escalation techniques.>

Miles Briggs

158 After section 23, insert—

<Use of restrictive practices in secure accommodation: duty of local authorities to collect data

- (1) A local authority must collect data on the use of restrictive practices on children in secure accommodation.
- (2) Data under subsection (1) must include—
 - (a) the type of restrictive practice used,
 - (b) the reason for the use of the restrictive practice,
 - (c) where and when the restrictive practice was used,
 - (d) the length of time the restrictive practice was used,
 - (e) the known impact on the child of the use of the restrictive practice, including any injuries or risks to the physical or mental wellbeing of the child,
 - (f) the characteristics of the child, including—
 - (i) age,
 - (ii) gender,
 - (iii) sex,
 - (iv) disability,
 - (v) race,
 - (g) whether any relevant family member or carer was notified of the use of the restrictive practice,
 - (h) the outcome of any incident review, and
 - (i) the involvement of the child in any incident review.
- (3) A local authority must publish the data in a manner it considers appropriate.>

Miles Briggs

159 After section 23, insert—

<Assessment of needs of a child placed in secure accommodation

- (1) The Scottish Ministers must ensure that any child placed in secure accommodation—
 - (a) at the point they enter secure accommodation, is assessed for any learning disabilities and complex needs, and
 - (b) receives appropriate and timely support for any learning disabilities and complex needs identified in an assessment under paragraph (a).
- (2) The Scottish Ministers must, no later than one year after the date of Royal Assent, prepare and publish a report on the steps they have taken under subsection (1).
- (3) For the purposes of this section, complex needs includes where a child, in addition to having a learning disability—
 - (a) is autistic,
 - (b) has a mental health diagnosis,
 - (c) has a forensic need,

- (d) is described as demonstrating challenging behaviour which is of such intensity, frequency or duration as to threaten the quality of life or physical safety of the child or any other person.>

Miles Briggs

160 After section 23, insert—

<Report on children in secure accommodation with learning disabilities and complex needs

- (1) A local authority must as soon as reasonably practicable after the end of each reporting period, prepare and publish a report on the steps it has taken during the reporting period to reduce the use of, or length of time spent in, secure accommodation for children with learning difficulties and complex needs.
- (2) For the purposes of subsection (1), complex needs includes where a child, in addition to having a learning disability—
 - (a) is autistic,
 - (b) has a mental health diagnosis,
 - (c) has a forensic need,
 - (d) is described as demonstrating challenging behaviour which is of such intensity, frequency or duration as to threaten the quality of life or physical safety of the child or any other person.
- (3) For the purposes of subsection (1), a reporting period is—
 - (a) the period of one year beginning with the day of Royal Assent,
 - (b) each subsequent period of one year.>

Miles Briggs

161 After section 23, insert—

<Children in secure accommodation with learning disabilities and complex needs: duty of local authority to collect data

- (1) A local authority must collect data on the number of children in secure accommodation with learning disabilities and complex needs.
- (2) Data under subsection (1) must include—
 - (a) the learning disabilities and complex needs of the child,
 - (b) the age of the child, and
 - (c) the number of days the child spent in secure accommodation.
- (3) A local authority must publish the data in a manner it considers appropriate.
- (4) For the purposes of this section, complex needs includes where a child, in addition to having a learning disability—
 - (a) is autistic,
 - (b) has a mental health diagnosis,
 - (c) has a forensic need,
 - (d) is described as demonstrating challenging behaviour which is of such intensity, frequency

or duration as to threaten the quality of life or physical safety of the child or any other person.>

After section 25

Miles Briggs

162 After section 25, insert—

<Secure transportation services

Secure transportation services: duty of Scottish Ministers to produce standards

- (1) The Scottish Ministers must by regulations specify standards on the use of secure transportation services for children.
- (2) Regulations under subsection (1) must provide that—
 - (a) secure transportation services must only be used if, following a risk assessment, it is considered necessary to reduce the risk of—
 - (i) harm to the child being transported,
 - (ii) serious harm to any other person,
 - (b) where the child being transported is detained in secure accommodation by virtue of section 51(1)(a), 205(2), 208(1) or, as the case may be, 216(7) of the 1995 Act, that handcuffs of any kind—
 - (i) must not be used, or
 - (ii) may only be used if there is a significant risk of serious harm to the child or another person,
 - (c) any use of restrictive practices during the secure transportation of the child must be reported to the relevant commissioning body.
- (3) Any person providing secure transportation services for children must comply with the standards specified in regulations under subsection (1).
- (4) Regulations under subsection (1) are subject to the affirmative procedure.>

Miles Briggs

163 After section 25, insert—

<Secure transportation services

Use of restrictive practices during secure transportation: duty of local authority to collect data

- (1) A local authority must collect data on the use of restrictive practices during the secure transportation of a child.
- (2) Data under subsection (1) must include—
 - (a) the type of restrictive practice used,
 - (b) the reason for the use of the restrictive practice,
 - (c) where and when the restrictive practice was used,
 - (d) the length of time the restrictive practice was used,

- (e) the known impact on the child of the use of the restrictive practice, including any injuries or risks to the physical or mental wellbeing of the child,
 - (f) the protected characteristics of the child, including—
 - (i) age,
 - (ii) gender,
 - (iii) sex,
 - (iv) disability,
 - (v) race,
 - (g) whether any relevant family member or carer was notified of the use of the restrictive practice,
 - (h) the outcome of any incident review, and
 - (i) the involvement of the child in any incident review.
- (3) A local authority must publish the data in a manner it considers appropriate.>

New Subordinate Legislation

Subject to the affirmative procedure

The following draft instrument was re-laid laid before Parliament on 17 January 2024 and is subject to the affirmative procedure—

[Consumer Scotland Act 2020 \(Relevant Public Authorities\) Regulations 2024 \(SSI 2024/Draft\)](#)
(SSI 2024/Draft)

Laid under section 26(2)(b) of the Consumer Scotland Act 2020

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Progress of Legislation

A list of all Bills in progress can be accessed via the Scottish Parliament website at:

<https://www.parliament.scot/bills-and-laws/bills>

For each Bill, the date of the next (or most recent) event in the Bill's passage is given. Other relevant information, e.g. about lodging amendments, is given in italics.

As soon as a Public Bill (i.e. a Government, Committee or Member's Bill) has completed Stage 1, amendments for consideration at Stage 2 may be lodged; and as soon as Stage 2 is completed, amendments for Stage 3 consideration may be lodged. The last lodging day for amendments at Stage 2 is four sitting days before the meeting at which those amendments will be considered (e.g. Wednesday for a meeting on Tuesday); at Stage 3 it is five days before. Amendments may be lodged until 4.30 pm on any sitting day, except on the last lodging day for each Stage, when the deadline is 12 noon.

A Hybrid Bill is subject to the same rules except in the case of Stage 2 where amendments for consideration may be lodged no earlier than the completion of any consideration of evidence at Stage 2.

Amendments to Private Bills are subject to different deadlines. These are set out in Rule 9A.12 of Standing Orders.

Members are advised to lodge amendments in good time before the beginning of a Stage and as early as possible during the day.

(G) = Government Bill; (M) = Member's Bill; (C) = Committee Bill; (P) = Private Bill; (H) = Hybrid Bill.

Abortion Services (Safe Access Zones) (Scotland) Bill (M)

Stage 1 (lead committee (Health, Social Care and Sport)), 16 January 2024

Report – Delegated Powers and Law Reform Committee (77th Report, 2023)

Aggregates Tax and Devolved Taxes Administration (Scotland) Bill (G)

Introduced, 14 November 2023

Lead committee – Finance and Public Administration

Agriculture and Rural Communities (Scotland) Bill (G)

Stage 1 (evidence, lead committee (Rural Affairs and Islands)), 20 December 2023

Stage 1 (Delegated Powers and Law Reform Committee), 19 December 2023

Bankruptcy and Diligence (Scotland) Bill (G)

Stage 1 (lead committee (Economy and Fair Work)), 17 January 2024

Report – Delegated Powers and Law Reform Committee (45th Report, 2023)

Budget (Scotland) (No. 3) Bill (G)

Lead committee – Finance and Public Administration

Report – Delegated Powers and Law Reform Committee (4th Report, 2024)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Children (Care and Justice) (Scotland) Bill (G)

Stage 2 (Day 1) (Education, Children and Young People Committee), 24 January 2024

All amendments should be lodged by 12 noon on Thursday 18 January with the clerks in the Legislation Team (legislationteam@parliament.scot)

Circular Economy (Scotland) Bill (G)

Stage 1 (evidence, lead committee (Net Zero, Energy and Transport)), 5 December 2023

Report – Finance and Public Administration Committee (10th Report, 2023)

Report – Delegated Powers and Law Reform Committee (64th Report, 2023)

European Charter of Local Self-Government (Incorporation) (Scotland) Bill (M)

Passed, 23 March 2021

Following a reference under section 33 of the Scotland Act 1998 by the Attorney General and the Advocate General for Scotland, the Supreme Court has ruled that some provisions of the Bill are outwith the legislative competence of the Scottish Parliament. The Bill cannot be submitted for Royal Assent in its unamended form.

Gender Recognition Reform (Scotland) Bill (G)

Passed, 22 December 2022

Following an Order under section 35 of the Scotland Act 1998 made by the Secretary of State for Scotland, this Bill cannot be submitted for Royal Assent in its current form.

Gender Representation on Public Boards (Amendment) (Scotland) Bill (G)

Stage 1 (lead committee (Equalities, Human Rights and Civil Justice)), 12 December 2023

Housing (Cladding Remediation) (Scotland) Bill (G)

Stage 1 (lead committee (Local Government, Housing and Planning)), 19 December 2023

Report – Delegated Powers and Law Reform Committee (1st Report, 2024)

Judicial Factors (Scotland) Bill (G)

Stage 1 (lead committee (Delegated Powers and Law Reform)), 19 December 2023

National Care Service (Scotland) Bill (G)

Stage 1 (lead committee (Health, Social Care and Sport)), 16 January 2024

Stage 1 (evidence (Finance and Public Administration Committee)), 26 September 2023

Report – Criminal Justice Committee (letter to lead committee, 10 February 2023)

Report – Delegated Powers and Law Reform Committee (13th Report, 2023)

Report – Education, Children and Young People Committee (11th Report, 2022)

Police (Ethics, Conduct and Scrutiny) (Scotland) Bill (G)

Stage 1 (lead committee (Criminal Justice)), 20 September 2023

Report – Delegated Powers and Law Reform Committee (75th Report, 2023)

Regulation of Legal Services (Scotland) Bill (G)

Stage 1 (lead committee (Equalities, Human Rights and Civil Justice)), 12 December 2023

Report – Delegated Powers and Law Reform Committee (70th Report, 2023)

Scottish Employment Injuries Advisory Council Bill (M)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Stage 1 Report – Social Justice and Social Security Committee (1st Report, 2024)

Scottish Languages Bill (G)

Introduced, 29 November 2023

Lead committee – Education, Children and Young People

Social Security (Amendment) (Scotland) Bill (G)

Stage 1 (lead committee (Social Justice and Social Security)), 9 November 2023

Trusts and Succession (Scotland) Bill (G)

Passed, 20 December 2023

United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (G)

Royal Assent, 16 January 2024

Victims, Witnesses, and Justice Reform (Scotland) Bill (G)

Stage 1 (evidence, lead committee (Criminal Justice)), 17 January 2024

Report – Delegated Powers and Law Reform Committee (78th Report, 2023)

Visitor Levy (Scotland) Bill (G)

Stage 1 completed, 16 January 2024

Stage 2 amendments may now be lodged with the clerks in the Legislation Team

(legislationteam@parliament.scot)

Welfare of Dogs (Scotland) Bill (M)

Stage 1 (evidence, lead committee (Rural Affairs and Islands)), 22 November 2023

Report – Delegated Powers and Law Reform Committee (65th Report, 2023)

Wildlife Management and Muirburn (Scotland) Bill (G)

Stage 2 (Day 1) (Rural Affairs and Islands Committee), 24 January 2024

All amendments should be lodged by 12 noon on Thursday 18 January with the clerks in the Legislation Team (legislationteam@parliament.scot)

Legislative Consent Memorandums

A list of all Legislative Consent Memorandums lodged with the Scottish Parliament can be accessed via the website at:

<https://www.parliament.scot/bills-and-laws/bills/legislative-consent-memorandums>

Animal Welfare (Livestock Exports) Bill LCM-S6-41

Lodged on 19 December 2023

Lead committee – Rural Affairs and Islands

Automated Vehicles Bill LCM-S6-42

Lodged on 20 December 2023

Lead committee – Net Zero, Energy and Transport

Criminal Justice Bill LCM-S6-43

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Lodged on 21 December 2023

Data Protection and Digital Information Bill Supplementary LCM-S6-36a

Lodged on 14 September 2023

Report – Lead committee (Economy and Fair Work) (7th Report, 2023)

Report – Delegated Powers and Law Reform Committee (57th Report, 2023)

Economic Activity of Public Bodies (Overseas Matters) Bill LCM-S6-38

Lodged on 19 July 2023

Report – Lead committee (Economy and Fair Work) (6th Report, 2023)

Report – Delegated Powers and Law Reform Committee (58th Report, 2023)

High Speed Rail (Crewe - Manchester) Bill LCM-S6-15

Lodged on 7 February 2022

Report – Lead committee (Net Zero, Energy and Transport) (9th Report, 2022)

Report – Delegated Powers and Law Reform Committee (27th Report, 2022)

Investigatory Powers (Amendment) Bill LCM-S6-40

Lodged on 15 December 2023

Lead committee – Criminal Justice

Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill LCM-S6-39

Lodged on 22 November 2023

Meeting (lead committee (Economy and Fair Work)), 17 January 2024

Subordinate Legislation (date of laying) (lead committee)

Affirmative instruments

Subject to approval by 28 January 2024

[Welfare of Farmed Animals \(Scotland\) Amendment Regulations 2024 \(SSI 2024/Draft\)](#) (4 December 2023) (Rural Affairs and Islands Committee)

Subject to approval by 31 January 2024

[Bus Services Improvement Partnerships \(Objections\) \(Scotland\) Regulations 2024 \(SSI 2024/Draft\)](#) (7 December 2023) (Net Zero, Energy and Transport Committee)

Subject to approval by 6 February 2024

[Anaesthesia Associates and Physician Associates Order 2024 \(SSI 2024/Draft\)](#) (13 December 2023) (Health, Social Care and Sport Committee)

Subject to approval by 26 February 2024

[Consumer Scotland Act 2020 \(Relevant Public Authorities\) Regulations 2024 \(SSI 2024/Draft\)](#) (withdrawn and re-laid on 17 January 2024) (Economy and Fair Work Committee)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Subject to approval by 28 February 2024

[Community Care \(Personal Care and Nursing Care\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/Draft\)](#) (11 January 2024) (Health, Social Care and Sport Committee)

Negative instruments

Subject to annulment 29 January 2024

Lead Committee report due by 22 January 2024

[Gender Recognition \(Disclosure of Information\) \(Scotland\) Order 2023 \(SSI 2023/364\)](#) (5 December 2023) (Criminal Justice Committee)

[Prisons and Young Offenders Institutions \(Scotland\) Amendment Rules 2023 \(SSI 2023/366\)](#) (5 December 2023) (Equalities, Human Rights and Civil Justice Committee)

Subject to annulment 31 January 2024

Lead Committee report due by 29 January 2024

[Meat Preparations \(Import Conditions\) \(Scotland\) Amendment Regulations 2023 \(SSI 2023/367\)](#) (7 December 2023) (Rural Affairs and Islands Committee)

[Bus Services Improvement Partnerships and Local Services Franchises \(Provision of Information\) \(Scotland\) Regulations 2023 \(SSI 2023/368\)](#) (7 December 2023) (Net Zero, Energy and Transport Committee)

[Welfare Foods \(Best Start Foods\) \(Scotland\) Amendment Regulations 2023 \(SSI 2023/371\)](#) (7 December 2023) (Social Justice and Social Security Committee)

Subject to annulment 1 February 2024

Lead Committee report due by 29 January 2024

[Firefighters' Pension Scheme \(Scotland\) Amendment Regulations 2023 \(SSI 2023/369\)](#) (8 December 2023) (Criminal Justice Committee)

[Bovine Semen \(Scotland\) Amendment Regulations 2023 \(SSI 2023/370\)](#) (8 December 2023) (Rural Affairs and Islands Committee)

[Conservation of Salmon \(Scotland\) Amendment Regulations 2023 \(SSI 2023/372\)](#) (8 December 2023) (Rural Affairs and Islands Committee)

Subject to annulment 7 February 2024

Lead Committee report due by 5 February 2024

[Equality Act 2010 \(Specific Duties\) \(Use of Member Information\) \(Scotland\) Revocation Regulations 2023 \(SSI 2023/375\)](#) (14 December 2023) (Equalities, Human Rights and Civil Justice Committee)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Subject to annulment 28 February 2024
Lead Committee report due by 26 February 2024

[Non-Domestic Rate \(Scotland\) Order 2024 \(SSI 2024/3\)](#) (11 January 2024) (Local Government, Housing and Planning Committee)

[Non-Domestic Rates \(Levying and Miscellaneous Amendment\) \(Scotland\) Regulations 2024 \(SSI 2024/4\)](#) (11 January 2024) (Local Government, Housing and Planning Committee)

[Non-Domestic Rates \(Transitional Relief\) \(Scotland\) Regulations 2024 \(SSI 2024/5\)](#) (11 January 2024) (Local Government, Housing and Planning Committee)

[Sea Fish \(Prohibition on Fishing\) \(Firth of Clyde\) Order 2024 \(SSI 2024/6\)](#) (11 January 2024) (Rural Affairs and Islands Committee)

Subject to annulment 29 February 2024
Lead Committee report due by 26 February 2024

[Council Tax \(Dwellings and Part Residential Subjects\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/10\)](#) (12 January 2024) (Local Government, Housing and Planning Committee)

Instruments / Documents subject to approval

Lead Committee report due by 28 January 2024

[Code of Practice for the Welfare of Pigs \(Revocation\) \(Scotland\) Notice 2023 \(SG/2023/304\)](#) (4 December 2023) (Rural Affairs and Islands Committee)

Lead Committee report due by 8 February 2024

[Draft Funeral Director Code of Practice \(SG/2023/300\)](#) (15 December 2023) (Health, Social Care and Sport Committee)

New Documents

Committee Reports

For further information on accessing committee reports, please contact the relevant clerk or webpage (see end of Bulletin for contact details or access general committee webpage)

Other Documents

The following documents were laid before the Parliament on 17 January 2024 and are not subject to parliamentary procedure—

Government Chemist Review 2022 (SG/2024/13) laid under Section 88(3) of the Scotland Act 1998

HM Revenue & Customs: Administration of Scottish income tax 2022-23 (SG/2024/14) laid under Section 80HA of the Scotland Act 1998 as amended by the Finance Act 2014

Contacts for Further Information

All telephone numbers 0131 348 XXXX

Web site: <https://www.parliament.scot>

General Enquiries	5000
Chamber Desk (Motions and Questions)	5199
Parliamentary Business Team (Chamber, Parliamentary Bureau)	5187
Legislation Team	5277
Non-Government Bills Unit (NGBU)	6124

Committee web sites at:

<https://www.parliament.scot/chamber-and-committees/committees>

--	--

MSP Details

<https://www.parliament.scot/msps/current-and-previous-msps>

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Published in Scotland by the Scottish Parliamentary Corporate Body

All documents are available on the Scottish Parliament website at:
www.parliament.scot/documents

For information on the Scottish Parliament contact Public Information on:

Telephone: 0131 348 5000 or 0800 092 7500

Email: sp.info@parliament.scot

Live chat on <http://www.parliament.scot>

You can write to us in any language or contact us using the Text Relay service or in British Sign Language through contact SCOTLAND-BSL.