



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 4, No. 89, Session 5

Meeting of the Parliament

Tuesday 17 March 2020

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

The meeting opened at 2.00 pm.

- 1. Time for Reflection:** Rev Fiona Bennett, United Reformed Church Honorary Chaplain, and Minister, Augustine United Reformed Church, led Time for Reflection.
- 2. Ministerial Statement:** The First Minister (Nicola Sturgeon) and the Cabinet Secretary for Health and Sport (Jeane Freeman) made statements and, along with other Cabinet Secretaries, answered questions on Novel coronavirus COVID-19 update.
- 3. OECD Review of Curriculum for Excellence:** The Cabinet Secretary for Education and Skills (John Swinney) moved S5M-21263—That the Parliament confirms its support for the establishment of an independently-led review of curriculum for excellence; notes the publication of the remit for the OECD-led review; further notes that the remit covers curriculum design, the depth and breadth of learning in the Senior Phase, local flexibility versus increased prescription, the transition from the Broad General Education into the Senior Phase, vocational and academic learning and awards, and roles and responsibilities in relation to the curriculum; recognises that this remit has been informed by the work of the Education and Skills Committee, including its report, Subject choices in schools; agrees that this review must form part of a wider drive to tackle key weaknesses in aspects of Scotland's school education and the qualifications structure, and further agrees that benefits that can be derived from all participants in the education system working together as part of a shared national endeavour to ensure Scotland's curriculum helps support Scotland's young people achieving the best possible outcomes.

The motion was agreed to (DT).

4. Sentencing (Pre-consolidation Amendments) Bill - UK Legislation: The Cabinet Secretary for Justice (Humza Yousaf) moved S5M-21260—That the Parliament agrees that the relevant provisions of the Sentencing (Pre-consolidation Amendments) Bill, introduced in the House of Lords on 21 January 2020, relating to the transfer of community orders and suspended sentence orders imposed by courts in England and Wales to Scotland, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

The motion was agreed to (DT).

5. Business Motion: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-21282—That the Parliament agrees the following revisions to the programme of business on—

(a) Wednesday 18 March 2020—

delete

2.00 pm Portfolio Questions: Justice and the Law Officers; Constitution, Europe and External Affairs

followed by Scottish Labour Party Debate: Women in Scotland

after

2.00 pm Parliamentary Bureau Motions

insert

2.00 pm Ministerial Statement: Education - COVID-19

followed by Ministerial Statement: Economy - COVID-19

followed by Portfolio Questions: Justice and the Law Officers; Constitution, Europe and External Affairs

followed by SPCB Motion: Reimbursement of Members Expenses Scheme

delete

followed by Members' Business

(b) Thursday 19 March 2020—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Economy, Fair Work and Culture

insert

2.00 pm Parliamentary Bureau Motions

2.00 pm Ministerial Statement: COVID-19: Supporting our Communities

followed by Ministerial Statement: UK Coronavirus Legislation

followed by Portfolio Questions: Economy, Fair Work and Culture

delete

followed by Members' Business

The motion was agreed to.

6. Suspension and Variation of Standing Orders: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-21283—That the Parliament agrees that Rules 5.6(a), (b) and (c) of the Standing Orders be suspended for the duration of the public response to the Novel coronavirus COVID-19.

The motion was agreed to (DT).

7. Suspension and Variation of Standing Orders: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-21284—That the Parliament agrees that, for the purposes of electing an additional deputy Presiding Officer for the duration of the public response to the Novel coronavirus COVID-19, Rules 11.9.4, 11.9.5, 11.9.13 and 11.9.16 of the Standing Orders be suspended.

The motion was agreed to (DT).

8. Suspension and Variation of Standing Orders: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-21285—That the Parliament agrees that, for the purposes of committee meetings for the duration of the public response to the Novel coronavirus COVID-19—

(a) in Rule 6.3A.1 after “member” the words “or members” be inserted

(b) Rule 6.3A.2 be suspended

(c) in Rule 6.3A.4 the first sentence be suspended

(d) after Rule 6.3A.5(d) be inserted “(e) a political party withdraws in writing to the Bureau that nomination of the member or members nominated for the purposes of the duration of the public response to the Novel coronavirus COVID-19.”

(e) in Rule 12.1.15 the words “(other than a committee substitute)” be omitted in both instances where they occur.

The motion was agreed to (DT).

9. Suspension and Variation of Standing Orders: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-21286—That the Parliament agrees that Rule 15.2.1 of the Standing Orders be suspended for the duration of the public response to the Novel coronavirus COVID-19.

The motion was agreed to (DT).

10. Decision Time: The Parliament took decisions on items 3, 4 6, 7, 8 and 9 as noted above.

11. 15th Anniversary of the Breastfeeding etc. (Scotland) Act 2005: The Parliament debated S5M-21178 in the name of Elaine Smith—That the Parliament acknowledges that 2020 marks the 15th anniversary of the Breastfeeding etc. (Scotland) Act 2005, which received royal assent on 18 January 2005; understands that the act made it an offence to prevent or stop a person in charge of a child who is otherwise permitted to be in a public place or licensed premises from feeding milk to that child in that place or on those premises, and to make provision in relation to the promotion of breastfeeding; notes the subsequent work that has been carried out to support women in breastfeeding their babies both at initiation and in sustaining maternal feeding; welcomes the progress made in increasing breastfeeding rates, as reported in February 2018 in the first Scottish Maternal and Infant Nutrition Survey, which found that 43% of mothers were continuing to breastfeed up to six months after birth, compared with 32% in 2010; is, however, concerned that 27% of women responding had sometimes decided not to breastfeed their baby in a certain place because they thought that they would be made to feel uncomfortable; believes that there is more work to be done to change societal attitudes to understand that a child has a right to be breastfed, wherever and whenever they are hungry or thirsty, to ensure that women can feel completely comfortable with this normal, nurturing, maternal behaviour in public spaces; celebrates and supports breastfeeding as being good for mums, babies and society, and encourages any woman who feels they have experienced an infringement of their lawful protection to seek legal redress in line with the provisions of the act.

The meeting closed at 6.18 pm.

David McGill
Clerk of the Parliament
17 March 2020

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

Committee Reports

The following reports were published on 13 March 2020—

Justice Committee, 4th Report, 2020 (Session 5): Legislative Consent Memorandum - Air Traffic Management and Unmanned Aircraft Bill (SP Paper 703)

Justice Committee, 5th Report, 2020 (Session 5): Subordinate Legislation Considered by the Justice Committee on 10 March 2020 (SP Paper 701)

Delegated Powers and Law Reform Committee, 19th Report 2020 (Session 5): Consumer Scotland Bill as amended at Stage 2 (SP Paper 704)

Finance and Constitution Committee, 3rd Report, 2020 (Session 5): Subordinate Legislation considered by the Committee on 11 March 2020 (SP Paper 705)

The following report was published on 17 March 2020—

Delegated Powers and Law Reform Committee, 20th Report 2020 (Session 5): Subordinate Legislation Considered by the Delegated Powers and Law Reform Committee on 17 March 2020 (SP Paper 707)

Legislative Consent Memorandum

The following memorandum was lodged on 16 March 2020—

Humza Yousaf, Cabinet Secretary for Justice: Legislative Consent Memorandum on the Domestic Abuse Bill (UK Parliament legislation) (LCM-S5-35)

New Subordinate Legislation

Affirmative Instruments

The following instruments were laid before the Parliament on 13 March 2020 and are subject to the affirmative procedure—

UEFA European Championship (Scotland) Act 2020 (Ticket Touting Offence) (Exceptions for Use of Internet etc.) (Scotland) Regulations 2020 [draft]
laid under section 32(2) of the UEFA European Championship (Scotland) Act 2020 and paragraph 2(2) of schedule 2 of the European Communities Act 1972

Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 (Scottish Fuel Poverty Advisory Panel and Consequential Amendments) Regulations 2020 [draft]

laid under section 17(1)(a) of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019

The following instruments were laid before the Parliament on 16 March 2020 and are subject to the affirmative procedure—

Deposit and Return Scheme for Scotland Regulations 2020 [draft]
laid under section 96(4) of the Climate Change (Scotland) Act 2009

Environmental Regulation (Enforcement Measures) (Scotland) Amendment Order 2020 [draft]
laid under section 58(3) of the Regulatory Reform (Scotland) Act 2014

Negative Instruments

The following instrument was laid before the Parliament on 16 March 2020 and is subject to the negative procedure—

UEFA European Championship (Scotland) Act 2020 (Compensation for Enforcement Action) (Scotland) Regulations 2020 (SSI 2020/79)
laid under section 32(3) of the UEFA European Championship (Scotland) Act 2020

Laid only Instruments

The following instrument was laid before the Parliament on 13 March 2020 and is not subject to any parliamentary procedure—

Scottish Crown Estate Act 2019 (Commencement No. 2 and Saving Provisions) Regulations 2020 (SSI 2020/77 (C.9))
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Other Documents

The following documents were laid before the Parliament on 16 March 2020 and are not subject to parliamentary procedure—

The Deposit and Return Scheme for Scotland Regulations 2020 - Accompanying Statement SG/2020/66 laid under section 97 of the Climate Change (Scotland) Act 2009

Scottish Information Commissioner Strategic Plan 2020-2024 SG/2020/25 laid under section 46A of the Freedom of Information (Scotland) Act 2002

Scottish Law Commission: Electoral Law, A joint final report SG/2020/35 laid under section 3(2) of the Law Commissions Act 1965

Tenth Annual Report on the Operation of Section 72 of the Climate Change (Scotland) Act 2009 SG/2020/40 laid under Section 73 of the Climate Change (Scotland) Act 2009

The following document was laid before the Parliament on 17 March 2020 and is not subject to parliamentary procedure—

Press Recognition Panel Annual report on the recognition system, March 2020 SG/2020/30 laid under paragraph 10.b of Schedule 2 of the Royal Charter on Self-Regulation of the Press

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