



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 5, No. 38, Session 5

Meeting of the Parliament

Tuesday 8 September 2020

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

The meeting opened at 2.00 pm.

- 1. Time for Reflection:** The Very Rev Dr Isaac Poobalan, Provost, St Andrew's Cathedral, and Chaplain, Robert Gordon University, Aberdeen, led Time for Reflection.
- 2. Topical Questions:** Questions were answered by a Cabinet Secretary and a Minister.
- 3. The Baroness Cumberlege Report:** The Cabinet Secretary for Health and Sport (Jeane Freeman) moved S5M-22635—That the Parliament welcomes the recommendations made by Baroness Cumberlege in her report on the independent medicines and medical devices safety review; acknowledges the Scottish Government's apology to women and families affected by Primodos, sodium valproate and transvaginal mesh; welcomes the Scottish Government's commitment to establish a Patient Safety Commissioner, and notes the actions taken by the Scottish Government to offer improved services for women who have suffered complications as a result of transvaginal mesh.

Jackson Carlaw moved amendment S5M-22635.1—

As an amendment to motion S5M-22635 in the name of Jeane Freeman (The Baroness Cumberlege Report), insert at end “, and believes that this must include the early prospect of full transvaginal mesh removal surgery being undertaken by surgeons who enjoy the full confidence of the women affected, fully funded by the NHS.”

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

Neil Findlay moved amendment S5M-22635.3—

As an amendment to motion S5M-22635 in the name of Jeane Freeman (The Baroness Cumberlege Report), after “Commissioner” insert “; calls on the Scottish Government to commit to the implementation of all of the recommendations of the report over which it has power; urges it to halt the development of the new specialist mesh service until it confirms who will be carrying out procedures at these centres, what training they have had and whether this is credible, whether any of the surgeons are proficient in carrying out full mesh removal procedures, that patient decision aids have been introduced and that representatives of mesh-injured women have been involved in the design of the service”.

After debate, the amendment was disagreed to ((DT) by division: For 57, Against 58, Abstentions 0).

Alison Johnstone moved amendment S5M-22635.2—

As an amendment to motion S5M-22635 in the name of Jeane Freeman (The Baroness Cumberlege Report), after “review;” insert “notes the review’s assertion that there is a ‘widespread and wholly unacceptable labelling of so many symptoms as ‘normal’ and attributable to ‘women’s problems’; acknowledges that the review’s findings highlight the repeated dismissal of women’s pain and discomfort; is concerned by the failure to obtain informed consent from many of the women affected by Primodos, sodium valproate and transvaginal mesh; agrees that, without the campaigning of these women and their families, many of the issues cited in the review would not have come to light;”.

After debate, the amendment was agreed to.

After debate, the motion as amended was agreed to.

Accordingly, the Parliament resolved—That the Parliament welcomes the recommendations made by Baroness Cumberlege in her report on the independent medicines and medical devices safety review; notes the review’s assertion that there is a ‘widespread and wholly unacceptable labelling of so many symptoms as ‘normal’ and attributable to ‘women’s problems’; acknowledges that the review’s findings highlight the repeated dismissal of women’s pain and discomfort; is concerned by the failure to obtain informed consent from many of the women affected by Primodos, sodium valproate and transvaginal mesh; agrees that, without the campaigning of these women and their families, many of the issues cited in the review would not have come to light; acknowledges the Scottish Government’s apology to women and families affected by Primodos, sodium valproate and transvaginal mesh; welcomes the Scottish Government’s commitment to establish a Patient Safety Commissioner; notes the actions taken by the Scottish Government to offer improved services for women who have suffered complications as a result of transvaginal mesh, and

believes that this must include the early prospect of full transvaginal mesh removal surgery being undertaken by surgeons who enjoy the full confidence of the women affected, fully funded by the NHS.

4. Motion Without Notice: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved without notice that, under Rule 11.2.4, Decision Time be moved to 5.10 pm.

The motion was agreed to.

5. Period Products (Free Provision) (Scotland) Bill: Financial Resolution: The Minister for Public Finance and Migration (Ben Macpherson) moved S5M-22484—That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Period Products (Free Provision) (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.

The motion was agreed to (DT).

6. Business Motion: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-22649—That the Parliament agrees to the following revision to the programme of business for Thursday 10 September 2020—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Transport, Infrastructure and Connectivity

followed by Stage 1 Debate (Committee Bill): Scottish Parliament (Assistance for Political Parties) Bill

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.05 pm Decision Time

and insert

2.45 pm Parliamentary Bureau Motions

2.45 pm Portfolio Questions: Transport, Infrastructure and Connectivity

followed by Stage 1 Debate (Committee Bill): Scottish Parliament (Assistance for Political Parties) Bill

followed by Ministerial Statement: Internal Market Update

followed by Business Motions

followed by Parliamentary Bureau Motions

4.15 pm Decision Time

The motion was agreed to.

7. Decision Time: The Parliament took a decision on S5M-22635.1 and S5M-22635.3 at item 4, and on item 5 as noted above. Under Standing Orders Rule 11.3.3, the Parliament took decisions on S5M-22635.2 and S5M-22635 at item 4 at the meeting of the Parliament on Wednesday 9 September 2020.

8. Recognising the Impact of Alcohol Foetal Spectrum Disorders: The Parliament debated S5M-21194 in the name of Kenneth Gibson—That the Parliament recognises the prevalence and significant impact of Foetal Alcohol Spectrum Disorders (FASD) in Scotland, as discussed at the meeting of the parliamentary Cross Party Group on Improving Scotland’s Health: 2021 and Beyond on 26 February 2020; notes the presentation by Dr Sarah Brown of the Foetal Alcohol Advisory and Support Team at NHS Ayrshire and Arran, which highlighted that FASD results from alcohol exposure in the womb and is preventable, yet is the most common neurodevelopmental condition in Scotland; further notes data from Glasgow Royal Infirmary research, which showed that one-in-seven babies born there were at high risk of FASD, which suggests a much higher prevalence in Scotland than previously thought; understands that FASD affects neurodevelopment, attainment, physical and mental health and that, without adequate support, it reduces life expectancy to around 34 years of age; believes that 94% of people living with FASD experience mental health problems, 79% experience unemployment, and over a third struggle with addictions; acknowledges the vital work that is being carried out by FASD Hub Scotland in providing a national telephone helpline and range of support for parents/carers and those supporting families affected by FASD, as highlighted by the presentation to the group by Aliy Brown, FASD Project Lead at FASD Hub Scotland, which is run by Adoption UK Scotland; supports the “No Alcohol, No Risk” message, which makes clear that any alcohol consumed during pregnancy can be damaging to the unborn child, and acknowledges its calls for implementation of the new SIGN 156 clinical guideline for Prenatal Alcohol Exposure, and welcomes the development of the National Preconception Framework as a key opportunity to reduce risks to parents and children from alcohol and other health-harming products in Cunninghame North and across Scotland.

The meeting closed at 6.24 pm.

David McGill
Clerk of the Parliament
8 September 2020

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

Committee Reports

The following report was published on 4 September 2020—

Covid-19 Committee, 6th Report 2020 (Session 5): Subordinate Legislation considered by the Covid-19 Committee on 2 September 2020 (SP Paper 799)

The following reports were published on 7 September 2020—

Health and Sport Committee, 9th Report 2020 (Session 5): Stage 1 Report on the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill (SP Paper 801)

Education and Skills Committee, 3rd Report 2020 (Session 5): Subordinate legislation - Abertay University and Robert Gordon University (Change of Names) (Miscellaneous Amendments) (Scotland) Order 2020 [draft] (SP Paper 797)

The following report was published on 8 September 2020—

Delegated Powers and Law Reform Committee, 49th Report 2020 (Session 5): Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 8 September 2020 (SP Paper 802)

New Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 4 September 2020 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 13) Regulations 2020 (SSI 2020/274)
laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008 for approval by resolution of the Scottish Parliament within 28 days beginning with the day on which the Regulations were made, not taking into account any period of dissolution or recess for more than 4 days

Affirmative Instruments

The following instruments were laid before the Parliament on 8 September 2020 and are subject to the affirmative procedure—

Scottish Child Payment Regulations 2020 [draft]
laid under section 96(2) of the Social Security (Scotland) Act 2018

First-tier Tribunal for Scotland Social Security Chamber (Procedure and Composition) Amendment Regulations 2020 [draft]
laid under section 79(2)(c) of the Tribunals (Scotland) Act 2014

Negative Instruments

The following instruments were laid before the Parliament on 4 September 2020 and are subject to the negative procedure—

Town and Country Planning (General Permitted Development) (Reverse Vending Machines) (Scotland) Amendment Order 2020 (SSI 2020/269)
laid under section 275 of the Town and Country Planning (Scotland) Act 1997

Coronavirus (Scotland) Act 2020 (Eviction from Dwelling-houses) (Notice Periods) Modification Regulations 2020 (SSI 2020/270)
laid under paragraph 8(4) of schedule 1 of the Coronavirus (Scotland) Act 2020

Other Documents

The following document was laid before the Parliament on 4 September 2020 and is not subject to parliamentary procedure—

Crofting Commission Annual Report & Accounts 2019/20 SG/2020/119 laid under Section 2B and Schedule 1, paragraph 19 of the Crofters (Scotland) Act 1993

The following documents were laid before the Parliament on 8 September 2020 and are not subject to parliamentary procedure—

Arrangements for the Administration and Operation of Citizens' Assembly of Scotland: Scotland's Climate Assembly SG/2020/173 laid under section 32A(7) of the Climate Change (Scotland) Act 2009

Scottish Fiscal Commission: Supplementary Costing: Scottish Child Payment – September 2020 SFC/2020/11 laid under section 5(3) of the Scottish Fiscal Commission Act 2016

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