



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 3, No. 37, Session 6

Meeting of the Parliament

Tuesday 24 October 2023

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Father Krzysztof Garwolinski, Parish Priest of St Patrick's Shieldmuir and St Thomas' Wishaw, led Time for Reflection.

2. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-10948—That the Parliament agrees—

(a) to the following revision to the programme of business for—

(i) Tuesday 24 October 2023—

after

followed by Topical Questions

insert

followed by First Minister's Statement: Gaza and Israel

delete

5.30 pm Decision Time

and insert

6.00 pm Decision Time

(ii) Wednesday 25 October 2023—

after

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture;
Justice and Home Affairs

insert

followed by Ministerial Statement: Response to Storm Babet

delete

5.10 pm Decision Time

and insert

5.40 pm Decision Time

(iii) Thursday 26 October 2023—

after

followed by Citizen Participation and Public Petitions Committee Debate:
Embedding Public Participation in the Work of the Parliament

insert

followed by Legislative Consent Motion: Economic Crime and Corporate
Transparency Bill - UK Legislation

(b) that the Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023 [draft] be considered by the Parliament;

(c) for the purposes of consideration of the supplementary legislative consent memorandum on the Levelling-up and Regeneration Bill, Rule 9B.3.5 of Standing Orders is suspended.

The motion was agreed to.

3. Topical Questions: Questions were answered by Cabinet Secretaries.

4. First Minister's Statement: The First Minister (Humza Yousaf) made a statement and answered questions on Gaza and Israel.

5. Ministerial Statement: The Cabinet Secretary for Transport, Net Zero and Just Transition (Màiri McAllan) made a statement and answered questions on Planning for Winter 2023-24 and Ongoing Resilience Across Health and Social Care.

6. Transvaginal Mesh: The Minister for Public Health and Women's Health (Jenni Minto) moved S6M-10915—That the Parliament welcomes the report of the independent Transvaginal Mesh Case Record Review; acknowledges the severe and painful complications endured by women after the implantation of transvaginal mesh and regrets that their trauma may have been exacerbated by initial service responses that doubted their lived experiences; notes the continuing improvement in support, informed by the views of affected women, offered by the specialist mesh surgical service at the New Victoria Hospital in Glasgow in particular and NHS Scotland in general, in ways well aligned with the recommendations of Professor Britton's review; further notes the Chief Medical Officer's request of NHS boards to

sustain good practice in the seeking and recording of patients' informed consent and to be assured locally that affected women are able to access the national mesh removal referral pathway, and supports the Scottish Government's continuing commitment to offering women a choice of surgeon, if mesh removal surgery is considered appropriate, and to reimbursing women who had previously arranged qualifying mesh removal surgery privately.

Tess White moved amendment S6M-10915.1—

As an amendment to motion S6M-10915 in the name of Jenni Minto (Transvaginal Mesh), leave out from first “notes” to end and insert “recognises that waiting times for mesh-injured women accessing the specialist mesh surgical service are significant and that urgent action is required by the Scottish Government and NHS National Services Scotland to reduce long waits; notes with concern that affected women must be seen by a local urogynaecologist within their NHS board before being referred to specialist services and that a GP referral is not available; further notes that the referral pathway is lengthy and complex, especially relating to independent providers and post-operative care; urges the Scottish Government to implement the full recommendations of Professor Britton's review to improve the support and outcomes available for women affected by surgical mesh, including the implementation of a new register for patients; requires the Scottish Government to report back to the Scottish Parliament on progress towards the implementation of the review's recommendations, including on how the management of women's healthcare and the communication of treatment implications are being addressed by NHS boards; seeks assurances that there will be a patient role in shaping how services supporting mesh-injured women are provided, and calls for clarity around the reimbursement arrangements for women who have arranged qualifying mesh removal surgery privately.”

After debate, the amendment was disagreed to ((DT) by division: For 49, Against 63, Abstentions 0).

Jackie Baillie moved amendment S6M-10915.2—

As an amendment to motion S6M-10915 in the name of Jenni Minto (Transvaginal Mesh), insert at end “; is concerned by the long waits for a first appointment at the Complex Mesh Surgical Service, whilst some women have reported a lack of clarity around accessing the full range of support available for mesh-related injuries; regrets that not all of the recommendations of the reviews by Professor Britton have been implemented; agrees that a realistic medicine approach is essential going forward, where patients are empowered and supported to be in control of their healthcare, and calls on the Scottish Government to set out how it will eradicate long waits for appointments and ensure that women affected by transvaginal mesh are informed and able to easily access the range of support available, which should be person-centred and trauma-informed ongoing care, and to publish both a strategy for increased surgical training and capacity building in alternative procedures to mesh, and data on waiting times for alternative procedures.”

After debate, the amendment was disagreed to ((DT) by division: For 50, Against 63, Abstentions 0).

The motion was agreed to ((DT) by division: For 63, Against 1, Abstentions 49).

7. Levelling-up and Regeneration Bill - UK Legislation: The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison) moved S6M-10916— That the Parliament agrees that the relevant provisions in Part 3 - Chapter 1, Part 6, Part 12 and Schedules 14-15 and 25 of the Levelling-up and Regeneration Bill, introduced in the House of Commons on 11 May 2022 and subsequently amended, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The motion was agreed to (DT).

8. Committee Announcement: Kaukab Stewart, on behalf of the Equalities, Human Rights and Civil Justice Committee Committee, made an announcement on the Committee's inquiry into the human rights of asylum seekers in Scotland.

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

10. Challenge Poverty Week 2023: The Parliament debated S6M-10526 in the name of Collette Stevenson—That the Parliament recognises Challenge Poverty Week 2023, which is coordinated by the Poverty Alliance, Scotland's anti-poverty network, and which runs from 2 to 8 October; notes that activities, events and actions will take place across Scotland to highlight the realities of, and solutions to, poverty, as well as increasing public support for tackling poverty; understands that the week emphasises the importance of a number of key policy asks, to help to unlock people from the grip of poverty, including the role of communities, access to food and adequate incomes; believes that over one million people in Scotland, including 250,000 children, are living in the grip of poverty and that the ongoing cost of living crisis continues to pull even more into hardship; notes the view that governments, politicians, civil society and communities all have a role to play in solving poverty; understands that particular groups of people, including low-paid women, lone parents, disabled people and people from black and minority ethnic backgrounds are disproportionately experiencing poverty; notes the view that poverty in Scotland can be solved by utilising all levers to boost incomes and reduce the impact of the cost of living crisis; further notes the view that people in Scotland support action to end poverty and believe in compassion and social justice; celebrates the work undertaken by organisations and communities across Scotland to stem what it sees as the rising tide of poverty, and notes the view that people across Scotland, including all MSPs, should attend and support events and activities in their areas to mark Challenge Poverty Week 2023.

The meeting closed at 7.12 pm.

David McGill
Clerk of the Parliament

24 October 2023

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

Committee Reports

The following report was published on 9 October 2023—

Health, Social Care and Sport Committee, 7th Report, 2023 (Session 6):
Report on Female Participation in Sport and Physical Activity (SP Paper 445)

The following report was published on 13 October 2023—

Local Government, Housing and Planning Committee, 8th Report, 2023
(Session 6): Report Tracking the Work of the Local Government, Housing and
Planning Committee in 2022-23 (SP Paper 450)

The following report was published on 23 October 2023—

Net Zero, Energy and Transport Committee, 15th Report, 2023 (Session 6):
Net Zero, Energy and Transport Committee report on The Transport
(Scotland) Act 2019 Amendment Regulations 2023 [draft] (SP Paper 447)

The following reports were published on 24 October 2023—

Equalities, Human Rights and Civil Justice Committee, 8th Report, 2023
(Session 6): The Human Rights of Asylum Seekers in Scotland (SP Paper
455)

Delegated Powers and Law Reform Committee, 59th Report, 2023 (Session
6): Supplementary Legislative Consent Memorandum: delegated powers
relevant to Scotland in the Levelling-up and Regeneration Bill (UK Parliament
legislation) (SP Paper 456)

Subordinate Legislation

Affirmative Instruments

The following instrument was laid before the Parliament on 16 October 2023 and is
subject to the affirmative procedure—

Vehicle Emissions Trading Schemes Order 2023 [draft]
laid under paragraph 11 of schedule 3 of the Climate Change Act 2008

The following instrument was laid before the Parliament on 18 October 2023 and is
subject to the affirmative procedure—

Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments)
(Scotland) Regulations 2023 [draft]
laid under paragraph 7(1) of schedule 5 of the Retained EU Law (Revocation
and Reform) Act 2023

The following instrument was laid before the Parliament on 19 October 2023 and is subject to the affirmative procedure—

Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem and the Golan Heights) (Scotland) Regulations 2023 [draft]

laid under section 96(2) of the Social Security (Scotland) Act 2018

The following instrument was laid before the Parliament on 20 October 2023 and is subject to the affirmative procedure—

Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023 [draft]

laid under section 96(2) of the Social Security (Scotland) Act 2018

The following instrument was withdrawn on 20 October 2023—

Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem and the Golan Heights) (Scotland) Regulations 2023 [draft]

The following instrument was laid before the Parliament on 23 October 2023 and is subject to the affirmative procedure—

Plant Health (Fees) (Forestry) (Scotland) (Amendment) Regulations 2023 [draft]
laid under paragraph 1(6) of schedule 7 of the European Union (Withdrawal) Act 2018

Negative Instruments

The following instrument was laid before the Parliament on 18 October 2023 and is subject to the negative procedure—

Public Procurement (Agreement on Government Procurement) (Miscellaneous Amendments) (Scotland) Regulations 2023 (SSI 2023/287)

laid under paragraph 2(2) of schedule 2 of the Trade Act 2021

The following instrument was laid before the Parliament on 23 October 2023 and is subject to the negative procedure—

Non-Domestic Rating Contributions (Scotland) Amendment Regulations 2023 (SSI 2023/288)

laid under sections 113 and 116(1) of, and paragraphs 10 and 11(5)(a) of Schedule 12 to, the Local Government Finance Act 1992

Laid Only Instruments

The following instrument was laid before the Parliament on 13 October 2023 and is not subject to any parliamentary procedure—

Social Security (Iceland) (Liechtenstein) (Norway) (Further provision in respect of Scotland) Order 2023 (SSI 2023/282)

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

Legislative Consent Memorandums

The following memorandum was lodged on 11 October 2023—

Shona Robison, Deputy First Minister and Cabinet Secretary for Finance:
Supplementary Legislative Consent Memorandum on the Levelling-up and Regeneration Bill (UK Parliament legislation) (LCM-S6-23a)

The following memorandum was lodged on 24 October 2023—

Shona Robison, Deputy First Minister and Cabinet Secretary for Finance:
Supplementary Legislative Consent Memorandum on the Economic Crime and Corporate Transparency Bill (UK Parliament legislation) (LCM-S6-35b)

Other Documents

The following documents were laid before the Parliament on 6 October 2023 and are not subject to parliamentary procedure—

Proceeds of Crime Act 2002: Report of the Appointed Person for Scotland for 2022/23 (SG/2023/193) laid under Section 127I (6), Section 291(5) and 303F (7) of the Proceeds of Crime Act 2002

The Report of the Independent Reviewer - Age of Criminal Responsibility (Scotland) Act 2019 (SG/2023/230) laid under section 21(2) of the Age of Criminal Responsibility (Scotland) Act 2019

Scottish Public Services Ombudsman: Annual Report and Financial Statements 2022-23 (SPSO/2023/AR) laid under Sections 17(1) and (3) of the Scottish Public Services Ombudsman Act 2002

Joint Strategy for Policing 2023 - Policing for a safe, protected and resilient Scotland (SPA/2023/01) laid under Section 34 of the Police and Fire Reform (Scotland) Act 2012

The following documents were laid before the Parliament on 12 October 2023 and are not subject to parliamentary procedure—

The Cost of Living (Tenant Protection) (Scotland) Act 2022: Report to the Scottish Parliament covering the period 1 June to 30 September 2023 (SG/2023/194) laid under Section 9(9) of the Cost of Living (Tenant Protection) (Scotland) Act 2022

The Scottish Human Rights Commission Annual Report and Financial Statements for the Year Ended 31 March 2023 (SG/2023/236) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on 16 October 2023 and is not subject to parliamentary procedure—

Health and Care Professions Council Fitness to Practise Annual Report 2022-23 (SG/2023/172) laid under Article 44(1) of the Health Professions Order 2001

The following document was laid before the Parliament on 17 October 2023 and is not subject to parliamentary procedure—

Scottish Road Works Commissioner Annual Report and Accounts 2022-23 (SG/2023/89) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 18 October 2023 and are not subject to parliamentary procedure—

National Records of Scotland Annual Report and Accounts 2022-2023 (SG/2023/181) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Scottish Public Services Ombudsman: Compendium of Case Reports for October 2023 (SPSO/2023/10) laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following documents were laid before the Parliament on 19 October 2023 and are not subject to parliamentary procedure—

Inspection of the Scottish Fire and Rescue Service East Service Delivery Area (SG/2023/169) laid under section 43C(5) of the Fire (Scotland) Act 2005

The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem and the Golan Heights) (Scotland) Regulations 2023: Statement made under section 97(9)(b) of the Social Security (Scotland) Act 2018 (SG/2023/256) laid under section 97(9)(b) of the Social Security (Scotland) Act 2018

The following document was laid before the Parliament on 20 October 2023 and is not subject to parliamentary procedure—

The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023: Statement made under section 97(9)(b) of the Social Security (Scotland) Act 2018: SG/2023/258 laid under section 97(9)(b) of the Social Security (Scotland) Act 2018

The following document was withdrawn on 20 October 2023—

The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem and the Golan Heights) (Scotland) Regulations 2023: Statement made under section 97(9)(b) of the Social Security (Scotland) Act 2018 (SG/2023/256)

The following documents were laid before the Parliament on 23 October 2023 and are not subject to parliamentary procedure—

Children’s Hearings Scotland - Annual Report and Accounts 2022-23 (SG/2023/249) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Children’s Hearings Scotland Impact Report 2022-23 (SG/2023/250) laid under paragraph 21 of schedule 3 of the Children’s Hearings (Scotland) Act 2011

Food Standards Scotland: Our Food 2022, An annual review of food standards across the UK (SG/2023/139) laid under Section 15(6) of the Food (Scotland) Act 2015

The following documents were laid before the Parliament on 24 October 2023 and are not subject to parliamentary procedure—

British Sign Language National Plan 2023-2029 (SG/2023/168) laid under Section 1(6) of the British Sign Language (Scotland) Act 2015

Consumer Scotland Annual Report and Accounts 2022-2023 (CS/2023/02) laid under Section 22 (5) of the Public Finance and Accountability (Scotland) Act 2000

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