



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 3, No. 28, Session 6

Meeting of the Parliament

Tuesday 19 September 2023

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

The meeting opened at 2.00 pm.

- 1. Time for Reflection:** Reverend Eder Ferraz Goncalves, Pastor, Perth Baptist Church, led Time for Reflection.
- 2. Topical Questions:** Questions were answered by Ministers.
- 3. Drug Law Reform:** The Minister for Drugs and Alcohol Policy (Elena Whitham) moved S6M-10490—That the Parliament believes that every life lost through drugs is a tragedy and recognises that behind each statistic is a grieving family and community; agrees that the scale of the drug deaths emergency in Scotland requires the Scottish Government to use every lever at its disposal to save and improve lives using the best available evidence; further agrees that the principles of the Scottish Government's national mission should be rooted in a human rights informed, public health approach, not a criminal justice one; believes that the support for people with substance dependency should be in parity with other health conditions, removing unnecessary stigma and discrimination; supports the calls for an urgent review of the Misuse of Drugs Act 1971 to fully align the law with the public health response outlined in the Scottish Government paper, A Caring, Compassionate and Human Rights Informed Drug Policy for Scotland, of which decriminalising drugs for personal use is one part, and agrees that the Scottish Government should work constructively with the UK Government to either amend the Misuse of Drugs Act 1971 or devolve the powers to Scotland to draft its own drugs legislation that better reflects international best practice.

Sue Webber moved amendment S6M-10490.1—

As an amendment to motion S6M-10490 in the name of Elena Whitham (Drug Law Reform), leave out from "be rooted" to end and insert "take both a public health and a criminal justice approach to target the serious organised crime gangs that target Scotland's most vulnerable communities; believes that the support for people with substance dependency should be in parity with other health conditions, removing unnecessary stigma and discrimination; notes the Lord Advocate's statement, which confirms her willingness to produce a prosecution policy statement enabling a drug consumption room facility to be set up without requiring any change to existing law; acknowledges that drug law is identical across the UK, yet drug-related deaths in Scotland are 2.7 times higher than the UK average; opposes the decriminalisation of drugs, which would make it more difficult to tackle the criminal gangs that profit from this trade and cause misery for communities across Scotland, and supports tackling the problem of substance dependency by implementing the proposed Right to Recovery Bill, which would enshrine a right in law that those who need treatment are able to get it."

After debate, the amendment was disagreed to ((DT) by division: For 28, Against 66, Abstentions 17).

Jackie Baillie moved amendment S6M-10490.3—

As an amendment to motion S6M-10490 in the name of Elena Whitham (Drug Law Reform), leave out from "supports" to end and insert "notes that, under the Scottish National Party administration, funding for Alcohol and Drug Partnerships fell by over £46 million in real terms between 2014-15 and 2019-20; welcomes the statement by the Lord Advocate, which will allow a pilot safer drug consumption room in Glasgow to go ahead, but regrets that it has taken almost seven years since the initial proposal for this progress to be made; regrets that more than 4,000 lives have been lost due to drugs since a public health emergency was declared in 2019; is concerned that, 14 months on from the recommendations of the Drug Deaths Taskforce, no formal application has been made to establish drug checking services in Scotland and medication assisted treatment standards are yet to be fully implemented, and calls on the Scottish Government to desist with finding constitutional disagreements and focus on using devolved powers and resources to improve rehabilitation services and tackle the root causes of addiction."

After debate, the amendment was disagreed to ((DT) by division: For 21, Against 90, Abstentions 0).

The motion was agreed to ((DT) by division: For 66, Against 45, Abstentions 0).

4. Decision Time: The Parliament took a decision on item 3 as noted above.

5. Consultation on Proposed Council Tax Rises: The Parliament debated S6M-10348 in the name of Willie Rennie—That the Parliament notes the Scottish Government's Fairer Council Tax consultation on the raising of council tax rates for those in properties in valuation bands E to H, which closes on 20 September 2023; understands that, should these rises go ahead, 715,312 houses in places like North

East Fife and across the rest of Scotland will be affected; further understands that this will mean more than a quarter of homes in Scotland will be impacted by this proposed rise on top of any yearly increase that is decided by local authorities; considers that this proposal may cause concern to many people living in band E to H properties, who, during a cost of living crisis, it believes are already faced with expensive energy bills, high levels of inflation and rising mortgage rates; notes the belief that these proposals do not go as far as previous commitments by the Scottish Government to scrap Council Tax in its entirety, and further notes the calls for MSPs to commit to scrutinising any proposals that result from the consultation fully and robustly.

The meeting closed at 5.48 pm.

David McGill
Clerk of the Parliament
19 September 2023

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

Committee Reports

The following report was published on 15 September 2023—

Delegated Powers and Law Reform Committee, 52nd Report, 2023 (Session 6): Stage 1 Report on the Trusts and Succession (Scotland) Bill (SP Paper 434)

Subordinate Legislation

Affirmative Instruments

The following affirmative instrument was withdrawn on 15 September 2023—

Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 4) Regulations 2023 [draft]

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

Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 4) Regulations 2023 [draft]
laid under section 37(2) of the Legal Aid (Scotland) Act 1986

The following instruments were laid before the Parliament on 19 September 2023 and are subject to the affirmative procedure—

Mental Health (National Secure Adolescent Inpatient Service: Miscellaneous Amendments) (Scotland) Regulations 2023 [draft]
laid under section 326(4) of the Mental Health (Care and Treatment) (Scotland) Act 2003

Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2023 [draft]
laid under paragraph 11 of schedule 3 of the Climate Change Act 2008

International Organisations (Immunities and Privileges) (Scotland) Amendment (No. 2) Order 2023 [draft]
laid under section 10(1) of the International Organisations Act 1968

Laid Only Instruments

The following instrument was laid before the Parliament on 19 September 2023 and is not subject to any parliamentary procedure—

Hunting with Dogs (Scotland) Act 2023 (Commencement) Regulations 2023 (SSI 2023/262 (C. 21))

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

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