

CVDR/S6/22/11/1

COVID-19 Recovery Committee

11th Meeting, 2022 (Session 6), Thursday
31 March 2022

Coronavirus (Recovery and Reform) (Scotland) Bill - Stage 1 scrutiny

Introduction

1. At this meeting, the Committee will take evidence on the Coronavirus (Recovery and Reform) (Scotland) Bill at Stage 1 from the Deputy First Minister and Cabinet Secretary for Covid Recovery.

The Bill

2. The [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill](#) is a Scottish Government bill that was introduced on Tuesday, 25 January 2022 by John Swinney, Deputy First Minister and Cabinet Secretary for COVID Recovery. The Bill was accompanied by a [Policy Memorandum](#) (PM), [Explanatory Notes](#) (EN), and a [Financial Memorandum](#) (FM). The Scottish Government also published the following impact assessments—

- [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill: business and regulatory impact assessment](#)
- [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill: child rights and wellbeing impact assessment](#)
- [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill: equalities impact assessment](#)
- [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill: fairer Scotland duty impact assessment](#)
- [Coronavirus \(Recovery and Reform\) \(Scotland\) Bill: island communities impact assessment](#)

3. The Bill will make permanent some of the time-limited reforms to the delivery of public services that were introduced in response to the COVID-19 pandemic and extends others. The Bill also contains some new provisions, such as those relating to the registration of live births (Section 18) and the Register of Inhibitions (Section 25),

which the Scottish Government considers are complimentary to the Bill's overall purpose.

4. The Scottish Government consulted on the proposals in its consultation paper entitled "[Covid recovery: a consultation on public health, public services and justice system reforms](#)", which was open from 17 August 2021 to 9 November 2021.¹

5. The Policy Memorandum states that the purpose of the Bill is—

“to embed reforms in Scotland’s public services and justice system that, though necessitated by the Covid pandemic, have delivered improvements for service users and improved efficiency. The Bill will also help build resilience against future public health threats. Furthermore, the Bill will continue certain temporary justice system provisions on a longer extension basis as part of the Recover, Renew, Transform (“RRT”²) programme and as a response to the impact of Covid on Scotland’s justice system, most particularly where backlogs have unavoidably built up.”²

6. The Bill is divided into 6 Parts, as follows—

- Part 1: Public health protections (clauses 1 – 4)
- Part 2: Education (clauses 5 – 14)
- Part 3: Public service reform (clauses 15 – 32)
- Part 4: Tenancies (clauses 33 – 37)
- Part 5: Temporary justice measures (clauses 38 – 44)
- Part 6: Final provisions (clauses 45 – 47)

6. This Bill covers a range of policy areas, including—

- alcohol licensing
- bankruptcy
- civic licensing
- courts, tribunals and parole boards
- criminal justice and proceeds of crime
- education (powers to close educational establishments and ensure continuity of education)
- freedom of information
- legal aid
- named persons nomination
- public health
- registration of deaths, still-births and live births
- tenancies and evictions
- vaccinations and immunisations

7. The Scottish Parliament’s Information Centre (SPICe) has published a [bill briefing](#) on aspects relating to public health, education and the delivery of other public services. This is one of two SPICe briefings on the Bill.

¹ <https://consult.gov.scot/constitution-and-cabinet/covid-recovery/>.

² Coronavirus (Recovery and Reform) (Scotland) Bill, Policy Memorandum, page 1

Committee scrutiny

8. As the provisions in the Bill cover a wide range of policy areas, 4 committees are involved in the Stage 1 scrutiny of this Bill. The COVID-19 Recovery Committee is the lead committee on the Bill.³ The Criminal Justice Committee has been designated as a secondary committee and will be considering the civil and criminal justice matters covered in Parts 3 and 5 of the Bill. The Local Government, Housing and Planning Committee has also been designated as a secondary committee and will consider the tenancies provisions included in Part 4 of the Bill. The Education, Children and Young People Committee has an interest in Part 2 of the Bill. Those committees will report to this Committee.

9. To ensure a joined-up approach to scrutiny, the committees issued a joint [call for views](#), which included the option of completing a short survey or a detailed response option. The detailed response option for the call for views closed on 25 February 2022 and the submissions received have been [published](#). The short survey closed on 18 March 2022 and received 3,926 responses. A SPICe summary of the provisions relevant to the Committee' scrutiny at Stage 1 is provided in the **Annexe**.

Next steps

10. The Committee expects to publish its report before the Stage 1 deadline on 12 May 2022.

Committee Clerks
28 March 2022

³ [S6M-03035](#) – Designation of lead Committee.

ANNEXE

Summary of survey responses to the call for views

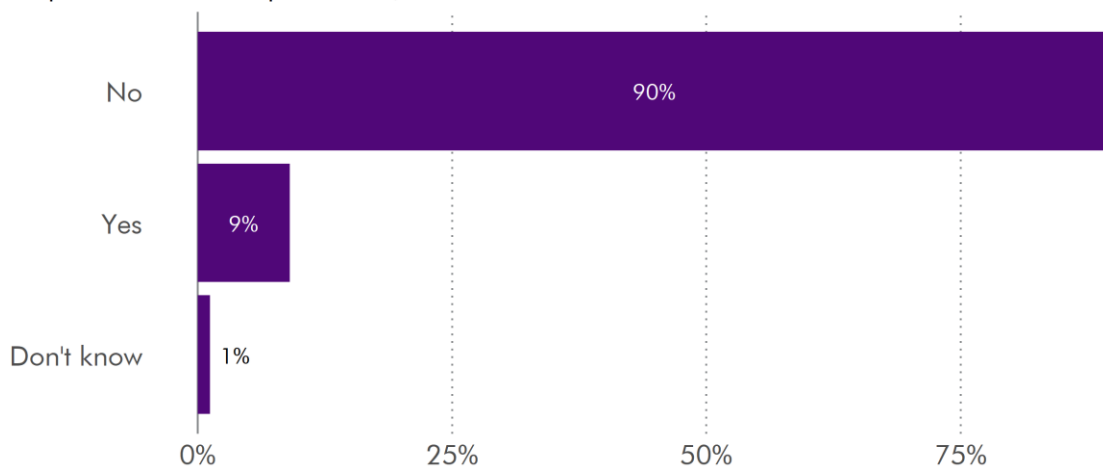
This identifies some of the key findings in response to the short survey in the [committee's joint call for views](#) on the Coronavirus (Recovery and Reform) (Scotland) Bill. By the time the call closed on Friday 18 March, nearly 4,000 responses had been received. **As those responding were self-selecting, this does not produce a representative sample of Scottish public opinion.** Nevertheless, the survey did ask for some demographic details, and for example, responses were received from every local authority area in Scotland.

Overall findings

Some of the key results from the survey are set out below:

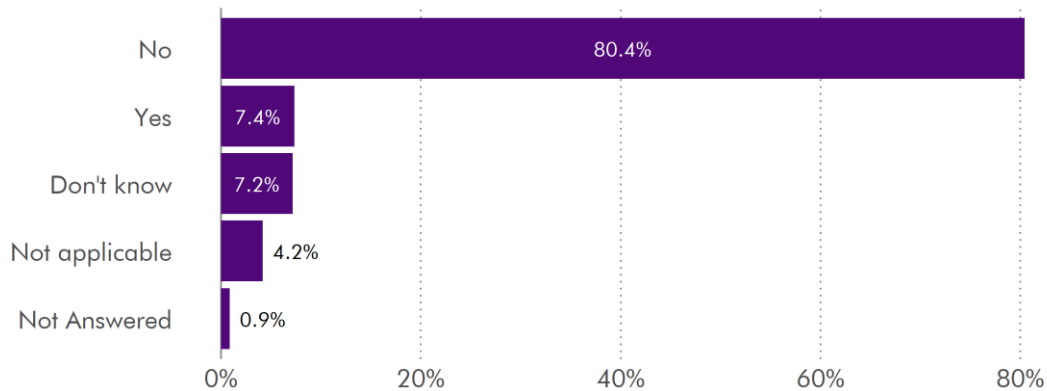
Do you agree with the bill?

Proportion of total responses - 3,926



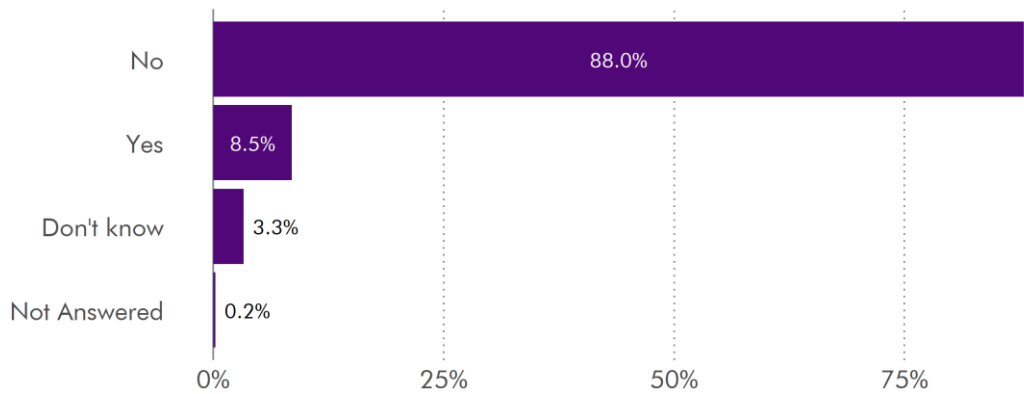
Will these provisions help address backlogs in the delivery of public services?

Proportion of total responses - 3,926



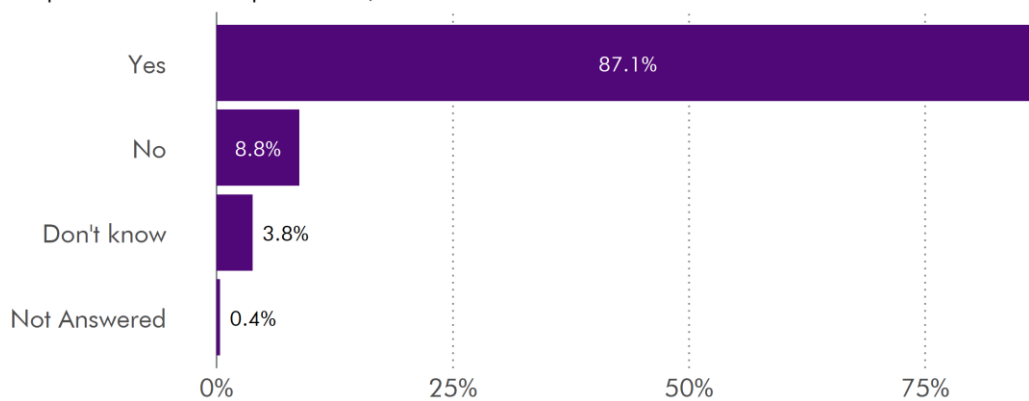
Will these provisions improve the resilience of public services to future public health threats?

Proportion of total responses - 3,926

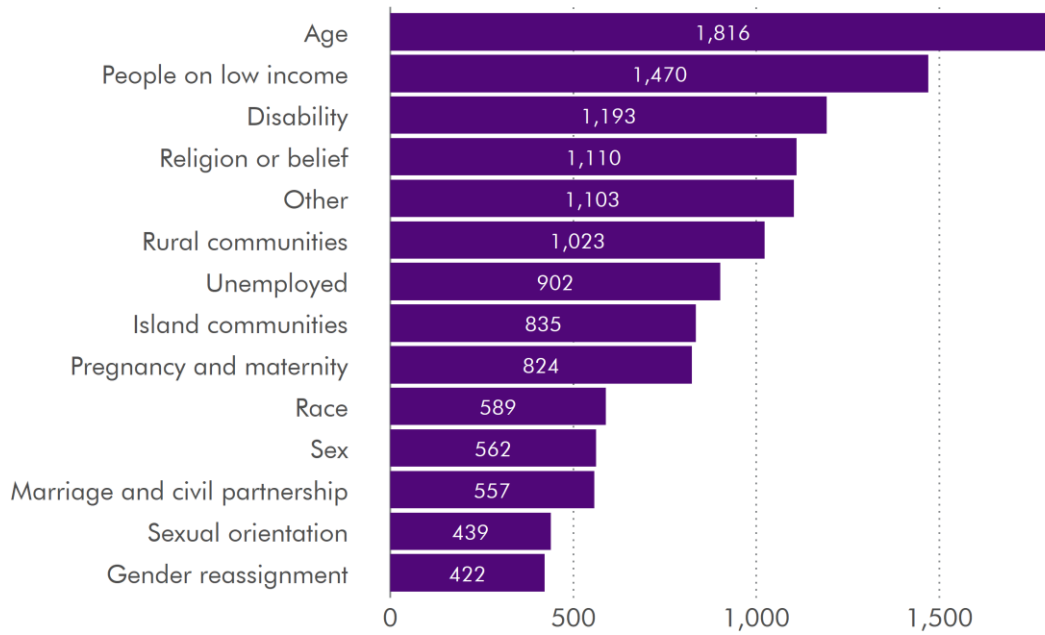


Do these provisions disproportionately impact any individuals?

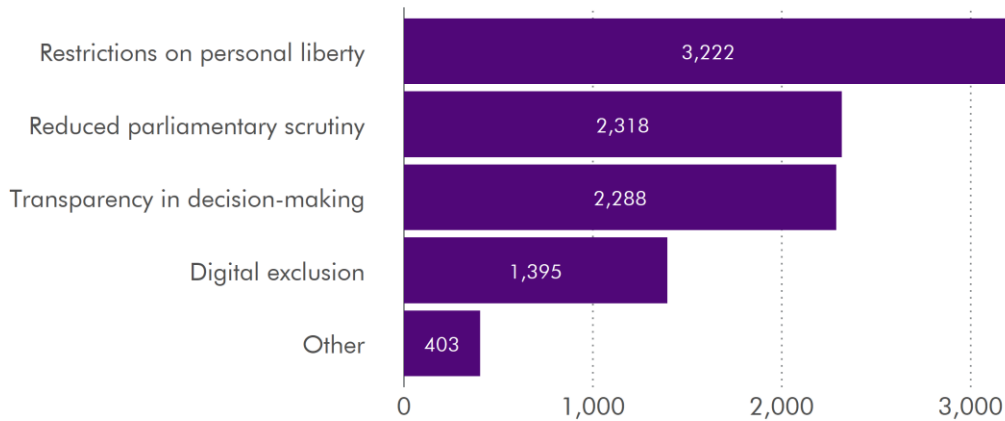
Proportion of total responses - 3,926



Which categories do you feel are disproportionately impacted by the provisions in the Bill?



What type of negative impacts do you anticipate?

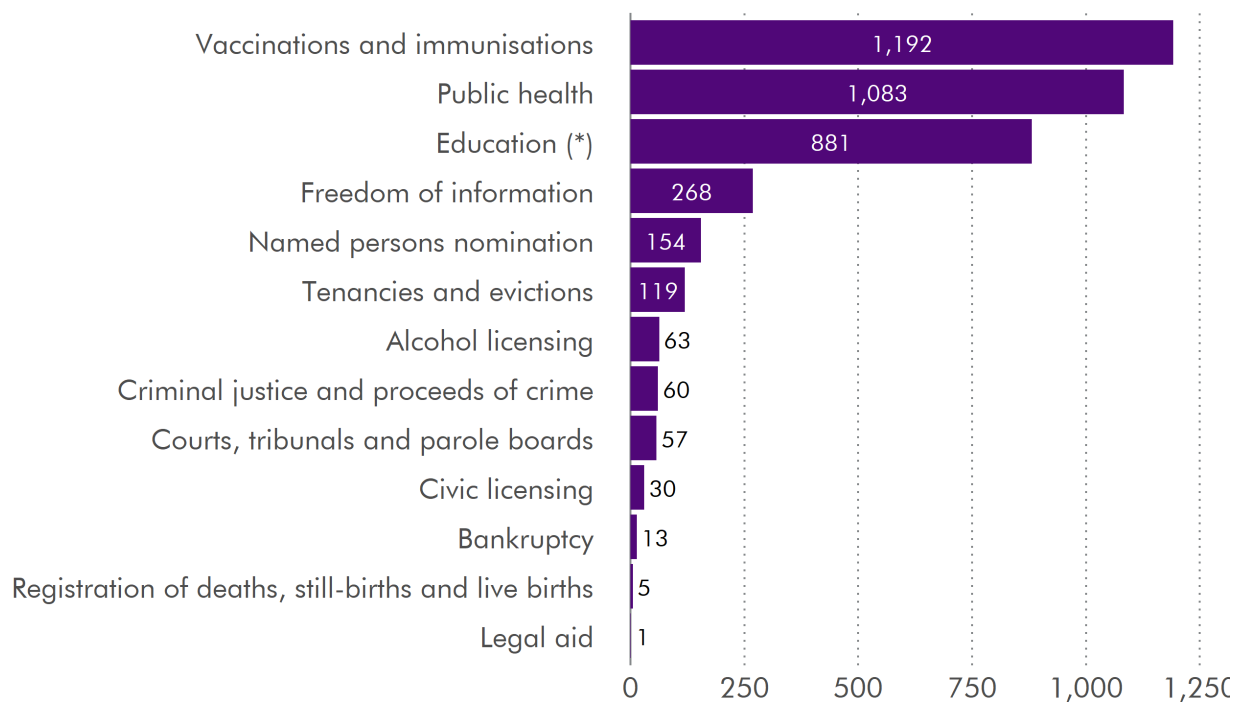


As well as responding to closed questions, respondents were given the chance to make some further comments. The word clouds below give a flavour of the issues that were raised in these comments

A closer look at responses by specific policy areas

The survey asked respondents if there were specific provisions in the bill they wished to respond on. The charts below look at the results from those people who responded to the questions about various provisions of the bill. The total numbers picking out specific topics are set out below.

Which policy area impacted by the bill would you most like to comment on?



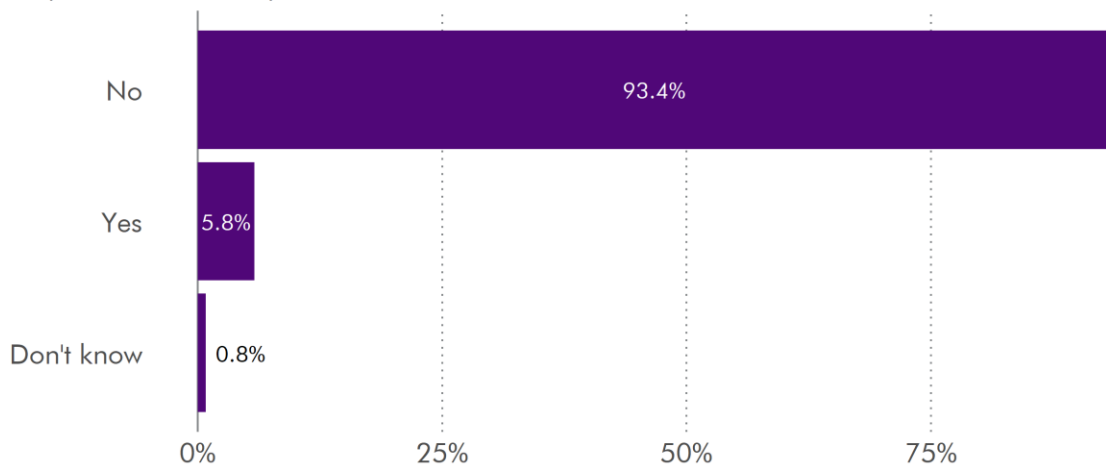
*Powers to close educational establishments and ensure continuity of education

Vaccinations and immunisations

Nearly 1200 respondents identified vaccinations and immunisations as an issue they wished to comment on. The broad pattern of responses was similar to those for bill overall, though a higher proportion (93.4% versus 90%) were opposed to the bill. Age and religion/belief were amongst the categories disproportionately impacted by the bill, and restrictions on personal liberty was the most common negative impact identified.

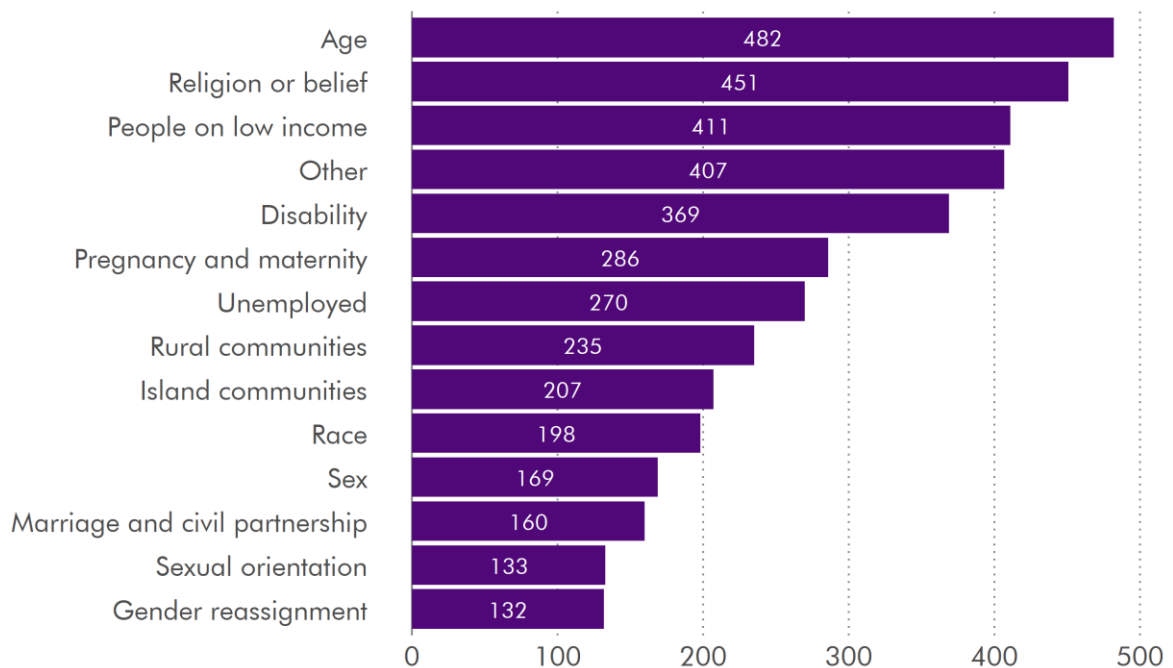
Do you agree with the bill?

Proportion of total responses who selected Vaccinations and immunisations



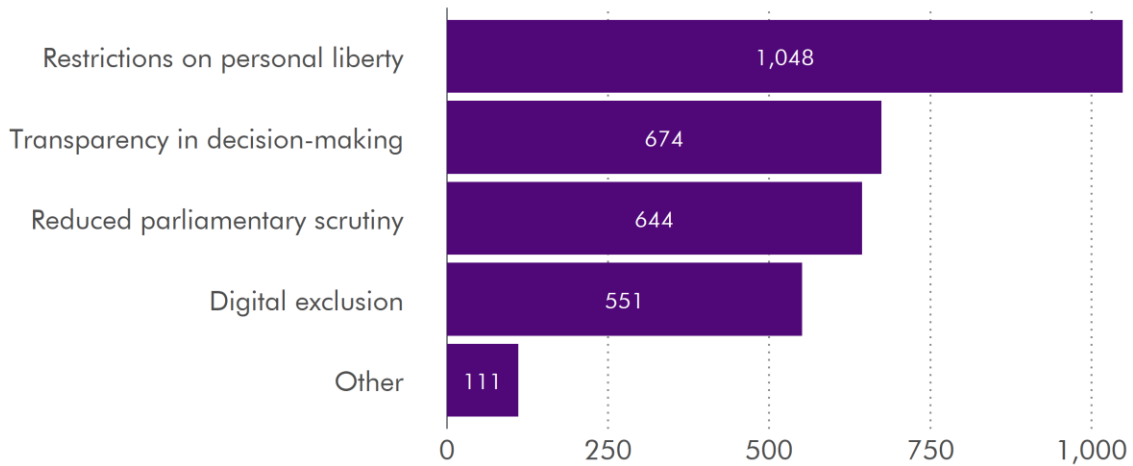
Which categories do you feel are disproportionately impacted by the provisions in the Bill?

For those who selected - Vaccinations and immunisations



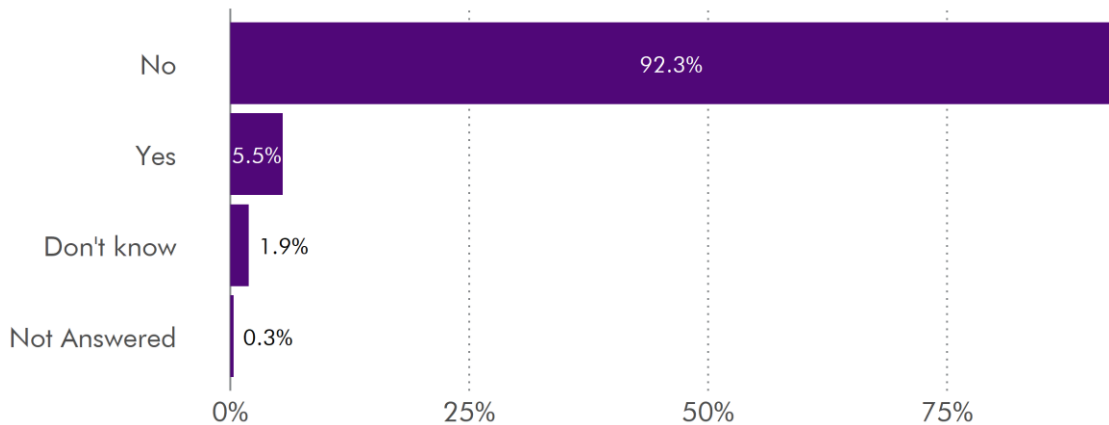
What type of negative impacts do you anticipate?

For those who selected - Vaccinations and immunisations



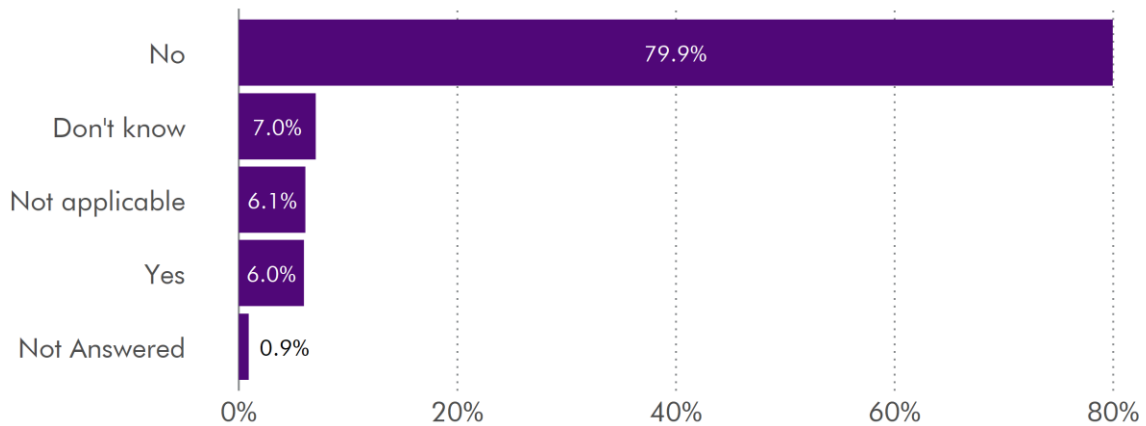
Will these provisions improve the resilience of public services to future public health threats?

Proportion of total responses who selected Vaccinations and immunisations



Will these provisions help address backlogs in the delivery of public services?

Proportion of total responses who selected Vaccinations and immunisations

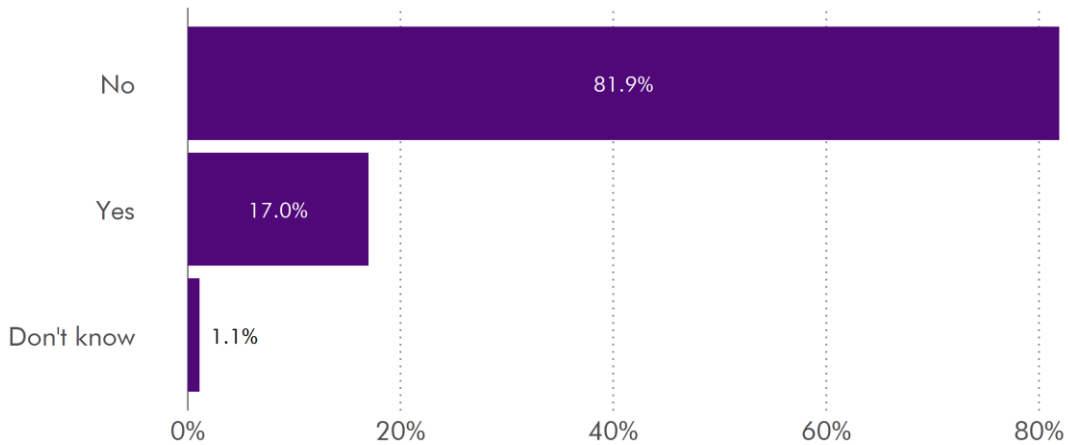


Public Health responses

Nearly 1100 respondents identified public health as an issue they wished to comment on. The broad pattern of responses was similar to those for bill overall, though a lower proportion (81.9% versus 90%) were opposed to the bill. Age, low incomes and disabilities were amongst the categories disproportionately impacted by the bill, and restrictions on personal liberty was the most common negative impact identified, followed by reduced parliamentary scrutiny and less transparency.

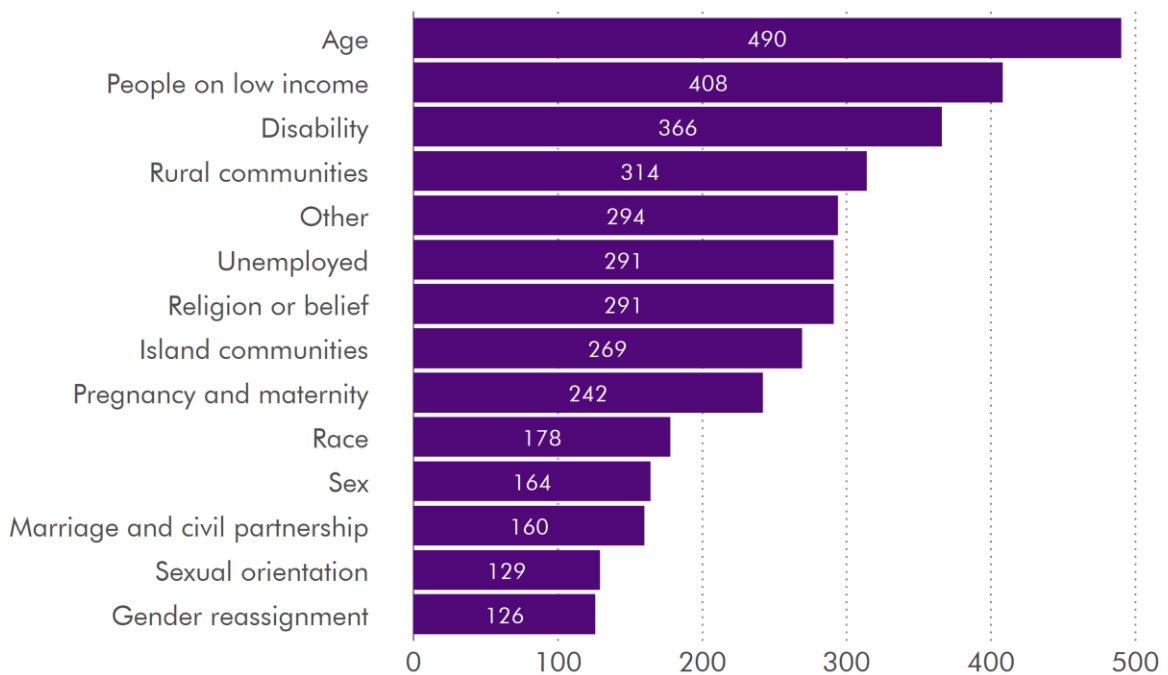
Do you agree with the bill?

Proportion of total responses who selected Public health



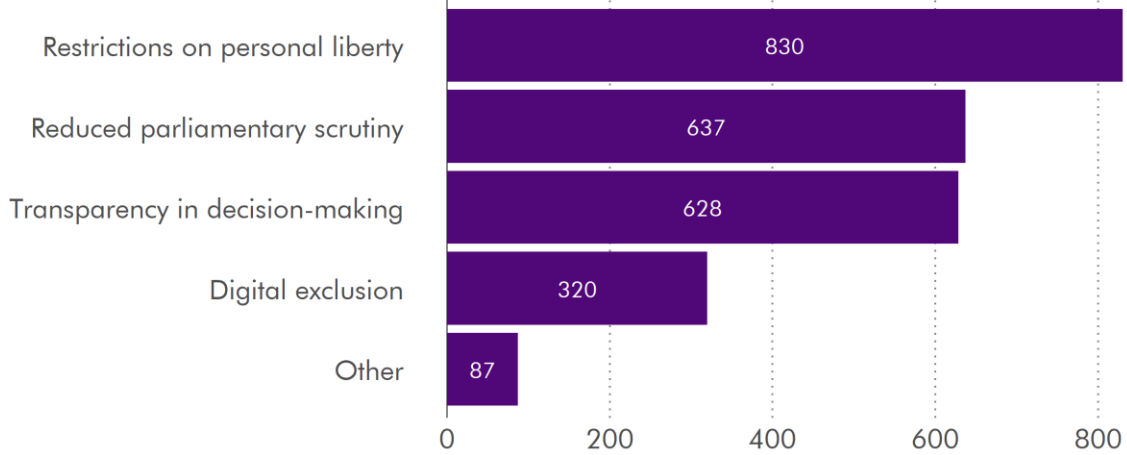
Which categories do you feel are disproportionately impacted by the provisions in the Bill?

For those who selected - Public health



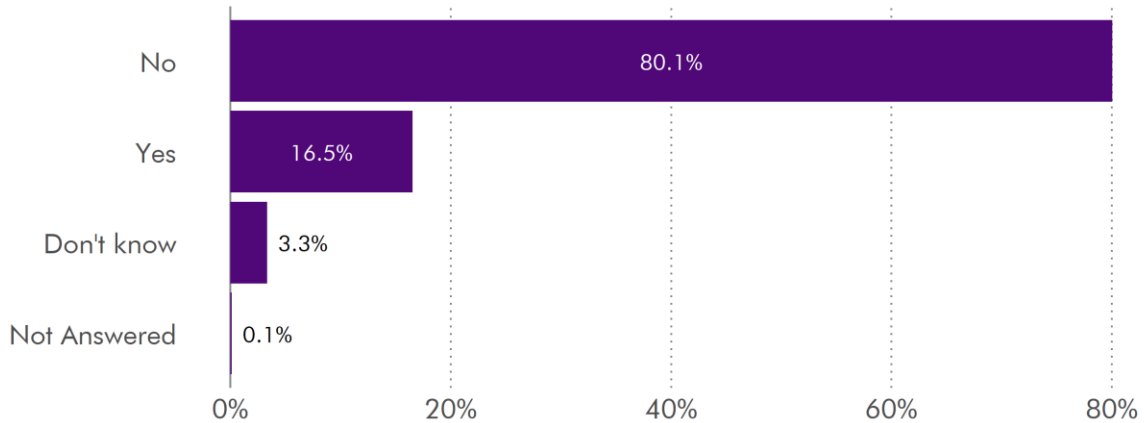
What type of negative impacts do you anticipate?

For those who selected - Public health



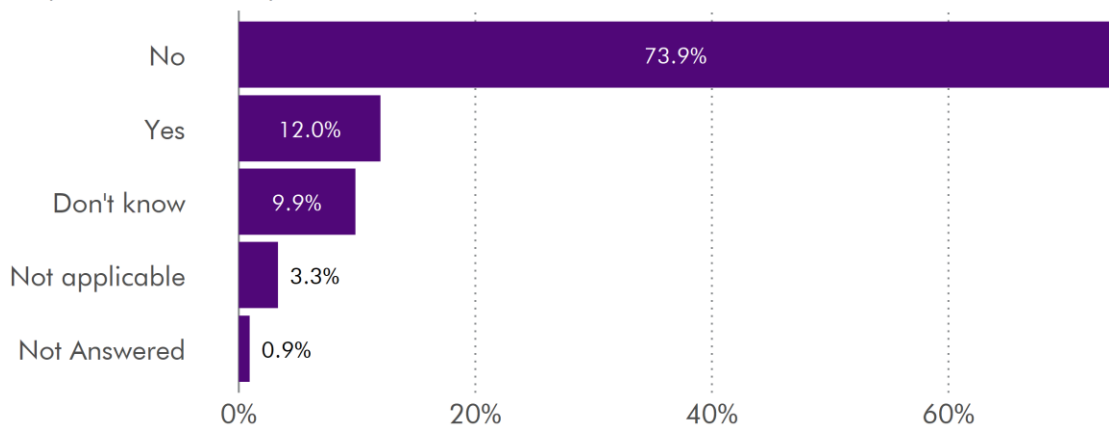
Will these provisions improve the resilience of public services to future public health threats?

Proportion of total responses who selected Public health



Will these provisions help address backlogs in the delivery of public services?

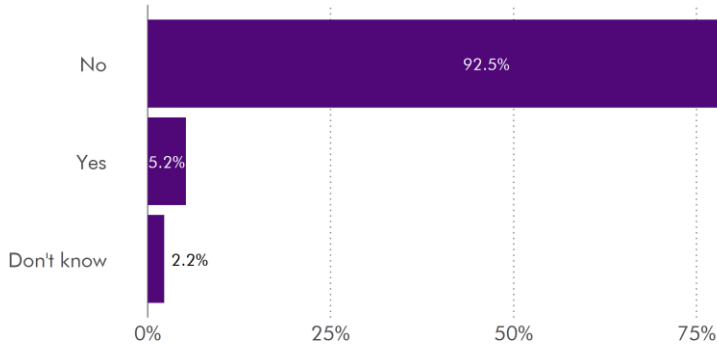
Proportion of total responses who selected Public health



Freedom of information

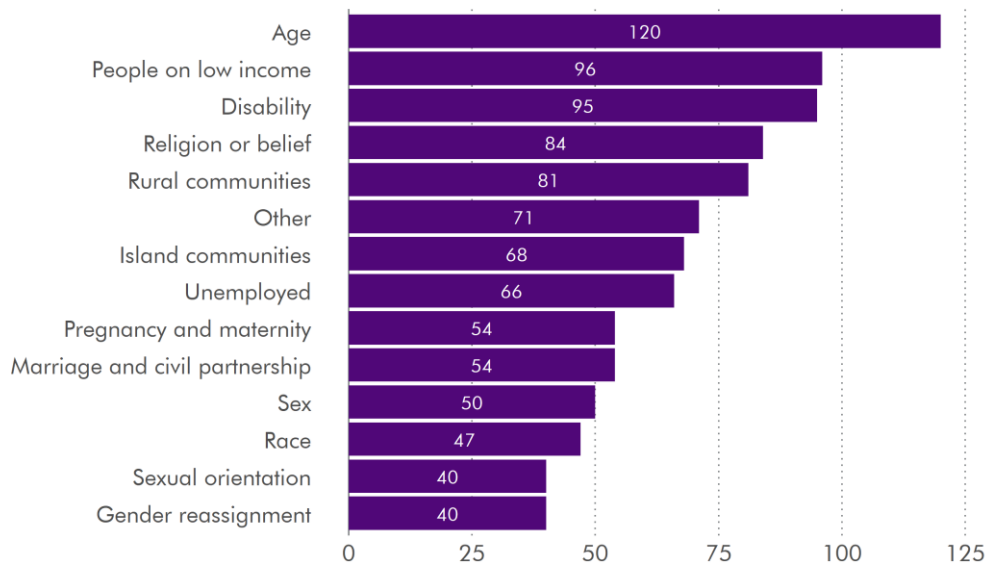
Do you agree with the bill?

Proportion of total responses who selected Freedom of information



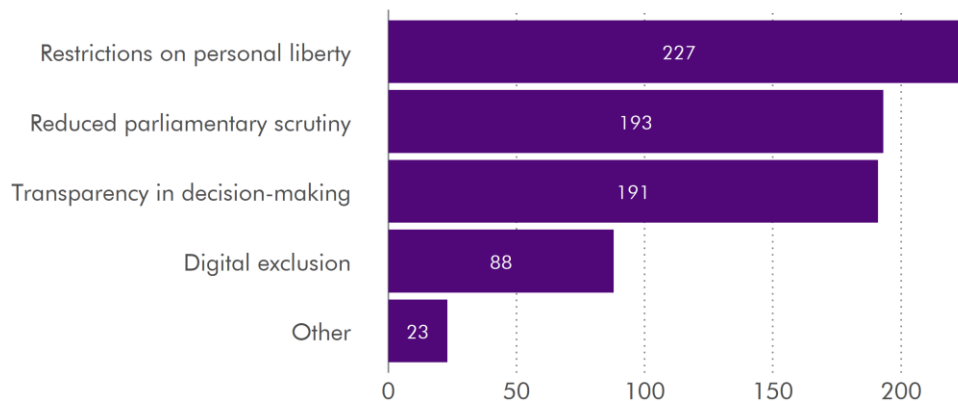
Which categories do you feel are disproportionately impacted by the provisions in the Bill?

For those who selected - Freedom of information



What type of negative impacts do you anticipate?

For those who selected - Freedom of information



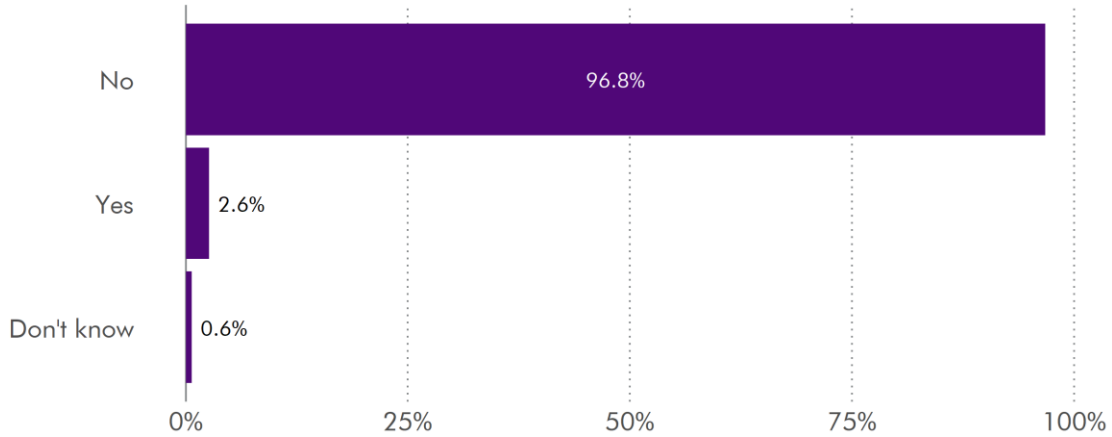
Other provisions

The headline results from the survey, relating to other policy areas are described below:

Named Persons

Do you agree with the bill?

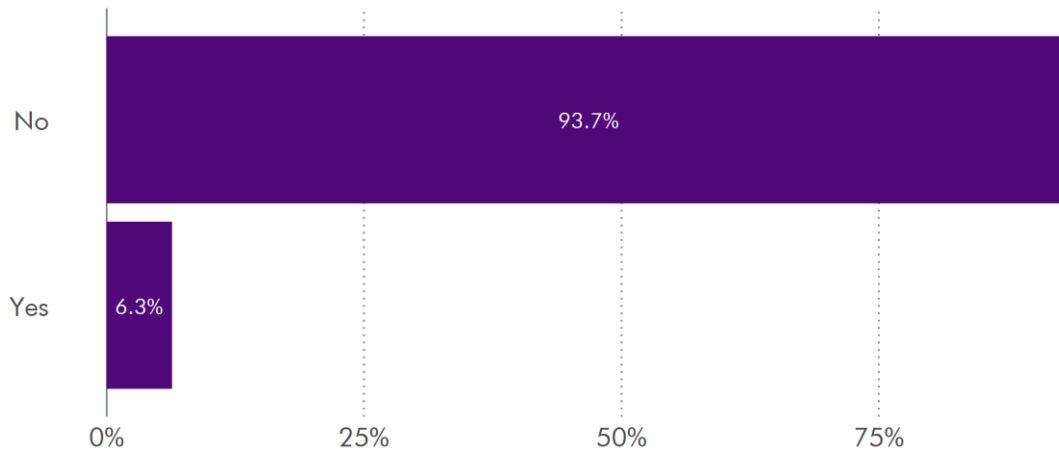
Proportion of total responses who selected Named persons nomination



Alcohol Licensing

Do you agree with the bill?

Proportion of total responses who selected Alcohol licensing



**Andrew Aiton, Simon Wakefield, SPICe Research, and
Ali Stoddart Participation and Communication Team**

28 March 2022

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

The Scottish Parliament, Edinburgh, EH99 1SP www.parliament.scot