



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

15th Meeting, 2011 (Session 4)

Tuesday 22 November 2011

Present:

Roderick Campbell	John Finnie
Christine Grahame (Convener)	Colin Keir
James Kelly (Deputy Convener)	Alison McInnes
David McLetchie	Graeme Pearson
Humza Yousaf	

Also present: Patrick Harvie MSP (item 3).

The meeting opened at 10.01 am.

1. **Declaration of interests:** David McLetchie MSP was invited to declare any relevant interests. Mr McLetchie declared that he is a member of the Law Society of Scotland and a member of the Society of Writers to Her Majesty's Signet.
2. **Decision on taking business in private:** The Committee agreed to take item 6 in private.
3. **Offensive Behaviour at Football and Threatening Communications (Scotland) Bill:** The Committee considered the Bill at Stage 2.

The following amendments were agreed to (without division): 1, 3, 5, 6, 7, 8, 10, 12 and 13.

The following amendments were agreed to (by division):

- 2 (For 6, Against 0, Abstentions 3)
- 4 (For 6, Against 0, Abstentions 3)
- 9 (For 5, Against 2, Abstentions 2)
- 11 (For 6, Against 0, Abstentions 3)
- 14 (For 6, Against 0, Abstentions 3)
- 15 (For 6, Against 0, Abstentions 3).

The following amendments were disagreed to (by division):

22 (For 0, Against 6, Abstentions 3)
18 (For 1, Against 5, Abstentions 3)
19 (For 1, Against 5, Abstentions 3)
27 (For 1, Against 5, Abstentions 3)
28 (For 0, Against 5, Abstentions 4)
30 (For 0, Against 5, Abstentions 4)
11A (For 1, Against 5, Abstentions 3)
14A (For 1, Against 5, Abstentions 3).

Amendment 37 was pre-empted.

The following amendments were moved and, with the agreement of the Committee, withdrawn: 16, 17, 32 and 35.

The following amendments were not moved: 23, 24, 25, 4A, 20, 26, 21, 29, 31, 33, 34, 34A, 34B, 36, 38, 39 and 14B.

Sections 1, 3, 4, 7 and 9 and the long title were agreed to without amendment.

Sections 2, 5, 6 and 8 were agreed to as amended.

The Committee completed Stage 2 consideration of the Bill.

4. **Subordinate legislation:** The Committee considered the following negative instrument—

the Double Jeopardy (Scotland) Act 2011 (Commencement and Transitional Provisions) Order 2011 (SSI 2011/365).

The Committee agreed to make no recommendation in relation to the instrument.

5. **Subordinate legislation:** The Committee considered and noted the following instrument which was not subject to any parliamentary procedure—

Act of Sederunt (Rules of the Court of Session Amendment No. 6) (Miscellaneous) 2011 (SSI 2011/385).

6. **The Legal Aid, Sentencing and Punishment of Offenders Bill (UK Parliament legislation) (in private):** The Committee agreed its report on legislative consent memorandum LCM(S4) 4.1.

The meeting closed at 12.18 pm.

J/S4/11/15/M

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