JUSTICE COMMITTEE

MINUTES

37th Meeting, 2013 (Session 4)

Tuesday 17 December 2013

Present:

Christian Allard  Roderick Campbell
John Finnie  Christine Grahame (Convener)
Alison McInnes  Margaret Mitchell
Elaine Murray (Deputy Convener)  John Pentland
Sandra White

The meeting opened at 9.30 am.

1. **Decisions on taking business in private:** The Committee agreed to take items 6 and 7 in private.

2. **Subordinate legislation:** The Committee took evidence on the Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 2013 (SSI 2013/320) from—

   Kenny MacAskill, Cabinet Secretary for Justice;

   Denise Swanson, Head of Access to Justice Unit, Catriona MacKenzie, Legal Aid Policy Manager, and Felicity Cullen, Legal Services, Scottish Government.

3. **Subordinate legislation:** Alison McInnes moved—

   S4M-08570—That the Justice Committee recommends that the Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 2013 (SSI 2013/320) be annulled.

   After debate, the motion was disagreed to (by division: For 1, Against 7, Abstentions 1). The Committee agreed to delegate to the Convener authority to agree the report to the Parliament on the instrument.

4. **Criminal Justice (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—
Sheriff Principal Edward Bowen, and Gerry Bonnar, Secretary, Review of Sheriff and Jury Procedure;

John Dunn, Procurator Fiscal, West of Scotland, Crown Office and Procurator Fiscal Service;

Grazia Robertson, Member of the Law Society Criminal Law Committee, Law Society of Scotland;

Michael Meehan, Faculty of Advocates;

Cliff Binning, Executive Director Field Services, Scottish Court Service.

Roderick Campbell indicated that he is a member of the Faculty of Advocates.

5. **Petition PE1479**: The Committee considered a petition by Andrew Muir calling on the Scottish Parliament to urge the Scottish Government to amend the Legal Profession and Legal Aid (Scotland) Act 2007 by removing any references to complaints being made timeously and agreed to write to: (a) the Scottish Legal Complaints Commission (SLCC) seeking more information on its recent consultation on its time-bar; (b) the petitioner asking whether he has evidence that his concerns about the SLCC's time-bar are shared by others; and to keep the petition open.

6. **Anti-social Behaviour, Crime and Policing Bill (UK Parliament legislation) (in private)**: The Committee further considered the supplementary legislative consent memorandum lodged by Kenny MacAskill (LCM(S4) 22.2). The Committee noted further information provided on the LCM and agreed to consider a draft report at a future meeting.

7. **Criminal Justice (Scotland) Bill - witness expenses (in private)**: The Committee agreed a claim under the witness expenses scheme.

The meeting closed at 11.59 am.

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