



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

36th Meeting, 2017 (Session 5)

Tuesday 12 December 2017

Present:

George Adam	Maurice Corry
Mary Fee	John Finnie
Mairi Gougeon	Liam Kerr
Fulton MacGregor	Rona Mackay (Deputy Convener)
Ben Macpherson	Liam McArthur
Margaret Mitchell (Convener)	

Also present: Claire Baker (item 6).

The meeting opened at 9.47 am.

1. **Decision on taking business in private:** The Committee agreed to take item 9 in private.
2. **Subordinate legislation:** The Committee took evidence on the Criminal Legal Assistance (Miscellaneous Amendments) (Scotland) Regulations 2017 [draft] from—

Annabelle Ewing, Minister for Community Safety and Legal Affairs, Stephen Tidy, Police Division, and Aileen Grimmer, Civil Law and Legal System Division, Scottish Government.

Annabelle Ewing, Minister for Community Safety and Legal Affairs, declared an interest as a member of the Law Society of Scotland and holder of a current practising certificate.

Liam Kerr declared interests as a solicitor with current practising certificates from the Law Society of Scotland and, in England and Wales, the Law Society. Ben Macpherson declared an interest as being registered on the Scottish roll of solicitors.

3. **Subordinate legislation:** Annabelle Ewing (Minister for Community Safety and Legal Affairs) moved—

S5M-09233—That the Justice Committee recommends that the Criminal Legal Assistance (Miscellaneous Amendments) (Scotland) Regulations 2017 [draft] be approved.

The motion was agreed to (by division: For 8, Against 3, Abstentions 0).

4. **Subordinate legislation:** The Committee took evidence on the Police Investigations and Review Commissioner (Application and Modification of the Criminal Justice (Scotland) Act 2016) (Scotland) Order 2017 [draft] from—

Michael Matheson, Cabinet Secretary for Justice, Scottish Government.

5. **Subordinate legislation:** Michael Matheson (Cabinet Secretary for Justice) moved—

S5M-09393—That the Justice Committee recommends that the Police Investigations and Review Commissioner (Application and Modification of the Criminal Justice (Scotland) Act 2016) (Scotland) Order 2017 [draft] be approved.

The motion was agreed to without debate or dissent.

6. **Domestic Abuse (Scotland) Bill:** The Committee consider the Bill at Stage 2 (Day 2).

Amendment 28 was agreed to (by division: For 6, Against 5, Abstentions 0).

The following amendments were disagreed to (by division)—

13 (For 5, Against 6, Abstentions 0)
26 (For 3, Against 8, Abstentions 0)
27 (For 2, Against 6, Abstentions 3).

Amendment 38 was moved and, no member having objected, withdrawn.

Sections 13 and 14 and the Long Title were agreed to without amendment.

The Committee completed Stage 2 consideration of the Bill.

7. **Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

James Kelly MSP, Member in Charge of the Bill.

8. **Justice Sub-Committee on Policing:** The Committee noted a report back from the Convener of the Sub-Committee on its meeting on 7 December 2017.

9. **Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill (in private):** The Committee considered the main themes emerging from the evidence received on the Bill at Stage 1.
10. **Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill (in private):** The Committee continued consideration of a draft Stage 1 report. Various changes were agreed to and the Committee agreed to continue consideration at its next meeting.

The meeting closed at 1.02 pm.

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