



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

9th Meeting, 2009 (Session 3)

Tuesday 17 March 2009

Present:

Bill Aitken (Convener)
Bill Butler (Deputy Convener)
Cathie Craigie
Paul Martin

Robert Brown
Angela Constance
Nigel Don
Stewart Maxwell

The meeting opened at 10.17 am.

1. **Subordinate legislation:** The Committee considered the Victim Statements (Prescribed Offences) (Scotland) Order 2009 (SSI 2009/31) and the Victim Statements (Prescribed Offences) (No. 2) (Scotland) Order 2009 (SSI 2009/71) and took evidence from—

Bill Hepburn, Head of Branch, Victims of Crime, Gordon McNicoll, Division Head, Solicitors Criminal Justice, Police and Fire Division, and Andrew Ruxton, Solicitor, Solicitors Criminal Justice, Police and Fire Division, Scottish Government.

The Committee agreed to make no recommendations in relation to the instruments.

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

the Advice and Assistance and Civil Legal Aid (Priority of Debts) (Scotland) Regulations 2009 (SSI 2009/49);

and agreed to make no recommendation in relation to the instrument.

3. **Subordinate legislation:** The Committee took evidence on the draft Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2009 (SSI 2009/draft) from—

Fergus Ewing MSP, Minister for Community Safety;

Chris Graham, Access to Justice, Constitution, Law and Courts Directorate, and Fraser Gough, Solicitor, Scottish Government Legal Directorate, Scottish Government.

4. **Subordinate legislation:** Fergus Ewing MSP (Minister for Community Safety) moved S3M-3503—

That the Justice Committee recommends that the draft Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2009 be approved.

After debate, the motion was agreed to.

5. **Subordinate legislation:** The Committee took evidence on the draft Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order 2009 (SSI 2009/draft) from—

Fergus Ewing MSP, Minister for Community Safety;

Linda Clark, Senior Policy Development Manager, Accountant in Bankruptcy.

6. **Subordinate legislation:** Fergus Ewing MSP (Minister for Community Safety) moved S3M-3544—

That the Justice Committee recommends that the draft Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order 2009 be approved.

After debate, the motion was agreed to.

7. **Sexual Offences (Scotland) Bill:** The Committee considered the Bill at Stage 2 (Day 1).

The following amendments were agreed to without division: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25.

Sections 1, 2, 3, 4, 5, 6, 7, 8 and 13 were agreed to as amended.

The Committee ended consideration of the Bill for the day, section 13 having been agreed to.

8. **Criminal Justice and Licensing (Scotland) Bill (in private):** The Committee agreed its approach to the scrutiny of the Bill at Stage 1.

The meeting closed at 11.45 am.

J/S3/09/9/M

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