



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

12th Meeting, 2009 (Session 3)

Tuesday 28 April 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 10.19 am.

1. **Decision on taking business in private:** The Committee agreed to take item 6 and any future consideration of a draft report in relation to the legislative consent memorandum (LCM(S3) 16.2) lodged by Kenny MacAskill MSP, Cabinet Secretary for Justice, in private.
2. **Coroners and Justice Bill (UK Parliament legislation):** The Committee took evidence on legislative consent memorandum LCM(S3) 16.2 from—

Kenny MacAskill MSP, Cabinet Secretary for Justice;

Gerard Bonnar, Head of Summary Justice Reform Branch, Criminal Procedure Division, Andrew McConnell, Policy Advisor, Enterprise and Industry Division, and Lachlan Stuart, Branch Head, Legal System Division, Scottish Government.

3. **Offences (Aggravation by Prejudice) (Scotland) Bill:** The Committee considered the Bill at Stage 2.

Sections 1, 2 and 3 were agreed to without amendment.

The Long Title was agreed to without amendment.

The Committee completed Stage 2 consideration of the Bill.

4. **Subordinate legislation:** The Committee considered the Diligence against Earnings (Variation) (Scotland) Regulations 2009 (SSI 2009/98) and the Diligence against Earnings (Variation) (Scotland) Revocation Regulations 2009 (SSI 2009/133) and took evidence from—

Sharon Bell, Head of Policy Development Branch, Accountant in Bankruptcy;

Graham Fisher, Solicitor, Scottish Government Legal Directorate, Scottish Government.

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

5. **Subordinate legislation:** The Committee considered the following negative instruments—

the European Communities (European Order for Payment) (Scotland) Regulations 2009 (SSI 2009/99);

the Charities and Benevolent Fundraising (Scotland) Regulations 2009 (SSI 2009/121);

and agreed to make no recommendations in relation to the instruments.

6. **Coroners and Justice Bill (UK Parliament legislation) (in private):** The Committee considered the legislative consent memorandum (LCM(S3) 16.2) lodged by Kenny MacAskill MSP, Cabinet Secretary for Justice. The Committee agreed to write to the Cabinet Secretary seeking clarification of a number of issues raised during discussion and to consider a draft report at its next meeting.

The meeting closed at 10.58 am.

Douglas Wands
Clerk to the Justice Committee
Room T3.60
The Scottish Parliament
Edinburgh
Tel: 0131 348 5195
Email: douglas.wands@scottish.parliament.uk