



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

8th Meeting, 2010 (Session 3)

Tuesday 2 March 2010

Present:

Bill Aitken (Convener)  
Bill Butler (Deputy Convener)  
Cathie Craigie  
James Kelly

Robert Brown  
Angela Constance  
Nigel Don  
Stewart Maxwell

Also present: Richard Baker, Aileen Campbell, Rhoda Grant, Trish Godman and John Scott.

The meeting opened at 10.13 am.

1. **Criminal Justice and Licensing (Scotland) Bill:** The Committee considered whether to take evidence on Stage 2 amendments raising significant issues not considered during Stage 1. The Committee agreed to seek oral and written evidence on amendments 10 and 10A (minimum sentence for having in a public place an article with a blade or point); amendments 399-402 (new offence of stalking) and 378 (new offence of threatening, alarming or distressing behaviour); and amendments 370 (penalties for offences of brothel-keeping and living on the earnings of prostitution) and 8, 8A-8D, 9 and 9A (offences of engaging in, advertising and facilitating paid-for sexual activities).
2. **Subordinate legislation:** The Committee considered the following negative instruments—

the Transfer of Property etc. (Scottish Court Service) Order 2010 (SSI 2010/40);

the Scottish Court Service (Corporate Plan) Order 2010 (SSI 2010/41).

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

3. **Criminal Justice and Licensing (Scotland) Bill:** The Committee considered the Bill at Stage 2 (Day 1).

The following amendments were agreed to (without division): 33, 35, 36, 37, 41, 43, 13, 47, 50 and 51.

The following amendments were agreed to (by division)—

38 (For 5, Against 3, Abstentions 0)  
40 (For 5, Against 3, Abstentions 0)  
12 (For 5, Against 3, Abstentions 0)  
14 (For 4, Against 4, Abstentions 0; amendment agreed to on casting vote)  
49 (For 5, Against 3, Abstentions 0)  
53 (For 4, Against 1, Abstentions 3)

The following amendments were disagreed to (by division)—

26 (For 4, Against 4, Abstentions 0; amendment disagreed to on casting vote)  
27 (For 4, Against 4, Abstentions 0; amendment disagreed to on casting vote)  
28 (For 1, Against 7, Abstentions 0)  
29 (For 1, Against 7, Abstentions 0)  
32 (For 3, Against 5, Abstentions 0)  
39 (For 1, Against 7, Abstentions 0)  
52 (For 1, Against 4, Abstentions 3)

Amendment 394 was moved and, with the agreement of the Committee, withdrawn.

Amendment 16 was pre-empted.

The following amendments were not moved: 30, 31, 34, 42, 44, 45, 46, 48, 15 and 54.

Sections 3 and 4 were agreed to without amendment.

Schedule 1 was agreed to as amended.

The Committee ended consideration of the Bill for the day, amendment 394 having been disposed of.

4. **Legal Services (Scotland) Bill (in private):** The Committee considered a revised draft Stage 1 report. Various changes were agreed to. The Committee agreed to consider a further draft at its next meeting.

The meeting closed at 1.15 pm.

**J/S3/10/8/M**

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