



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

10th Meeting, 2010 (Session 3)

Tuesday 16 March 2010

Present:

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

Robert Brown
Angela Constance
Nigel Don
Stewart Maxwell

The meeting opened at 10.04 am.

1. **Decision on taking business in private:** The Committee agreed to consider draft reports on the draft Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2010 and the draft International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2010 in private at future meetings.
2. **Subordinate legislation:** The Committee took evidence on the draft Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2010 from—

Kenny MacAskill MSP, Cabinet Secretary for Justice.

3. **Subordinate legislation:** Kenny MacAskill MSP (Cabinet Secretary for Justice) moved S3M-5735—

That the Justice Committee recommends that the draft Advice and Assistance and Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 2010 be approved.

The motion was agreed to.

4. **Subordinate legislation:** The Committee took evidence on the draft International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2010 from—

Kenny MacAskill MSP, Cabinet Secretary for Justice.

5. **Subordinate legislation:** Kenny MacAskill MSP (Cabinet Secretary for Justice) moved S3M-5848—

That the Justice Committee recommends that the draft International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2010 be approved.

The motion was agreed to.

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

the Advice and Assistance and Civil Legal Aid (Priority of Debts) (Scotland) Regulations 2010 (SSI 2010/57);

the Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 2010 (SSI 2010/63).

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

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

The following amendments were agreed to (without division): 55, 56, 58, 59, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 75, 76, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 88, 268, 269, 270, 271, 272, 273, 274, 275, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342 and 343.

The following amendments were agreed to (by division):

- 17 (For 4, Against 4, Abstentions 0; amendment agreed to on casting vote)
73 (For 5, Against 3, Abstentions 0)
78 (For 5, Against 3, Abstentions 0)
80 (For 5, Against 3, Abstentions 0)
233 (For 5, Against 0, Abstentions 3)
81 (For 5, Against 3, Abstentions 0)
82 (For 5, Against 3, Abstentions 0)
89 (For 5, Against 3, Abstentions 0)
90 (For 5, Against 3, Abstentions 0)
91 (For 5, Against 3, Abstentions 0)

92 (For 5, Against 3, Abstentions 0)
93 (For 5, Against 3, Abstentions 0)
94 (For 5, Against 3, Abstentions 0)
95 (For 5, Against 3, Abstentions 0)
97 (For 5, Against 3, Abstentions 0)

The following amendments were disagreed to (by division):

64 (For 4, Against 4, Abstentions 0; amendment disagreed to on casting vote)
21 (For 4, Against 4, Abstentions 0; amendment disagreed to on casting vote)
77 (For 4, Against 4, Abstentions 0; amendment disagreed to on casting vote)

Amendments 60, 397, 276, 98 and 99 were moved and, with the agreement of the Committee, withdrawn.

Amendments 19, 23, 79, 83, 84, 85, 86, 87 and 96 were pre-empted.

The following amendments were not moved: 18 (and as a consequence 18A and 18B), 57, 20, 395, 396, 22, 74 and 398.

Sections 10 and 12 were agreed to without amendment.

Sections 5, 6, 7, 8, 9, 11, 13 and 14 were agreed to as amended.

The Committee ended consideration of the Bill for the day, amendment 343 having been disposed of.

The meeting closed at 12.24 pm.

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