



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

1st Meeting, 2015 (Session 4)

Tuesday 6 January 2015

Present:

Christian Allard

John Finnie

Alison McInnes

Elaine Murray (Deputy Convener)

John Pentland

Roderick Campbell

Christine Grahame (Convener)

Margaret Mitchell

Gil Paterson

The meeting opened at 10.15 am.

1. **Decisions on taking business in private:** The Committee agreed to take items 7, 8 and 9 in private.
2. **Subordinate legislation:** The Committee took evidence on the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2015 [draft] from—

Paul Wheelhouse, Minister for Community Safety and Legal Affairs,
Scottish Government.

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

S4M-11913—That the Justice Committee recommends that the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2015 [draft] be approved.

The motion was agreed to.

4. **Subordinate legislation:** The Committee took evidence on the—

Regulation of Investigatory Powers (Covert Surveillance and Property Interference – Code of Practice) (Scotland) Order 2015 [draft];

Regulation of Investigatory Powers (Modification of Authorisation Provisions: Legal Consultations) (Scotland) Order 2015 [draft];

Regulation of Investigatory Powers (Covert Human Intelligence Sources – Code of Practice) (Scotland) Order 2015 [draft];

from—

Paul Wheelhouse, Minister for Community Safety and Legal Affairs, Graeme Waugh, Investigatory Powers Team, Police Division, and Kevin Gibson, Directorate for Legal Services, Scottish Government.

Roderick Campbell declared an interest as a member of the Faculty of Advocates.

5. **Subordinate legislation:** Paul Wheelhouse (Minister for Community Safety and Legal Affairs) moved—

S4M-11910—That the Justice Committee recommends that the Regulation of Investigatory Powers (Covert Surveillance and Property Interference – Code of Practice) (Scotland) Order 2015 [draft] be approved;

S4M-11915—That the Justice Committee recommends that the Regulation of Investigatory Powers (Modification of Authorisation Provisions: Legal Consultations) (Scotland) Order 2015 [draft] be approved;

S4M-11916—That the Justice Committee recommends that the Regulation of Investigatory Powers (Covert Human Intelligence Sources – Code of Practice) (Scotland) Order 2015 [draft] be approved.

The motions were agreed to.

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

Regulation of Investigatory Powers (Authorisation of Covert Human Intelligence Sources) (Scotland) Order 2014 (SSI 2014/339);

Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) (No. 2) Order 2014 (SSI 2014/336);

Mutual Recognition of Supervision Measures in the European Union (Scotland) Regulations 2014 (SSI 2014/337).

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

7. **Modern Slavery Bill (UK Parliament legislation) (in private):** The Committee considered a draft report on the legislative consent memorandum

(LCM(S4) 35.1). Various changes were agreed to and the Committee agreed its report to the Parliament.

8. **Subordinate legislation (in private):** The Committee considered a draft report on the Public Services Reform (Inspection and Monitoring of Prisons) (Scotland) Order 2014 [draft]. Various changes were agreed to and the Committee agreed its report to the Parliament.
9. **Assisted Suicide (Scotland) Bill (in private):** The Committee further considered a draft report to the Health and Sport Committee. Various changes were agreed to and the Committee agreed its report.

The meeting closed at 12.33 pm.

Joanne Clinton
Clerk to the Justice Committee
Room T2.60
The Scottish Parliament
Edinburgh
Tel: 01313485220
Email: Joanne.Clinton@scottish.parliament.uk