



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

29th Meeting, 2015 (Session 4)

Tuesday 27 October 2015

Present:

Christian Allard

John Finnie

Margaret McDougall

Margaret Mitchell

Gil Paterson

Roderick Campbell

Christine Grahame (Convener)

Alison McInnes

Elaine Murray (Deputy Convener)

The meeting opened at 10.17 am.

1. **Decisions on taking business in private:** The Committee agreed to take items 6, 7 and 8 in private.
2. **Subordinate legislation:** The Committee took evidence on the Criminal Justice and Licensing (Scotland) Act 2010 (Supplementary Provision) Order 2015 [draft] from—

Michael Matheson, Cabinet Secretary for Justice, Scottish Government.

3. **Subordinate legislation:** Michael Matheson (Cabinet Secretary for Justice) moved—

S4M-14395—That the Justice Committee recommends that the Criminal Justice and Licensing (Scotland) Act 2010 (Supplementary Provision) Order 2015 [draft] be approved.

The motion was agreed to.

4. **Subordinate legislation:** The Committee took evidence on the International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2015 [draft] from—

Michael Matheson, Cabinet Secretary for Justice, and Alastair Smith, Directorate for Legal Services, Scottish Government.

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

Discontinuance of Legalised Police Cells (Scotland) Rules 2015 (SSI 2015/324);

Police Pension Scheme (Scotland) Amendment Regulations 2015 (SSI 2015/325);

Legal Aid (Miscellaneous Amendments) (Scotland) Regulations 2015 (SSI 2015/337).

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

In relation to SSI 2015/325, John Finnie declared an interest as a former police officer in receipt of a police pension.

6. **Community Justice (Scotland) Bill (in private):** The Committee considered the themes emerging from the evidence received in order to inform the drafting of its Stage 1 report. The Committee agreed to write to the Scottish Government seeking further information on a number of issues raised and to invite the Minister for Community Safety and Legal Affairs to give further evidence at a future meeting.
7. **Abusive Behaviour and Sexual Harm (Scotland) Bill (in private):** The Committee considered its approach to the scrutiny of the Bill at Stage 1, and agreed to invite witnesses and to further consider its approach at a future meeting.
8. **Work programme (in private):** The Committee considered its work programme and agreed: to take evidence in relation to the Scottish Government's Draft Budget 2016-17 in December and January; to take evidence at Stage 1 on the Criminal Verdicts (Scotland) Bill early in the New Year; and to consider whether to undertake further work in relation to surveillance (in relation to the work of local authorities, the police, or the security services) at a later meeting. The Committee considered a request from Jackie Baillie MSP for an inquiry into (a) the conduct of the Law Society of Scotland regarding the Christopher Hales case and (b) whether it is appropriate for the Law Society to act as both regulator and advocate for the legal profession, and agreed not to undertake an inquiry into these issues.

The meeting closed at 12.26 pm.

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