



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

1st Meeting, 2016 (Session 4)

Tuesday 5 January 2016

Present:

Christian Allard	Roderick Campbell
John Finnie	Margaret McDougall
Alison McInnes	Margaret Mitchell
Elaine Murray (Deputy Convener)	Gil Paterson

Apologies were received from Christine Grahame (Convener).

The meeting opened at 10.01 am.

1. **Business in private:** The Committee agreed to take item 8 in private.
2. **Subordinate legislation:** The Committee took evidence on the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Community Justice Scotland as Specified Authority) Order 2016 [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-14967—That the Justice Committee recommends that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Community Justice Scotland as Specified Authority) Order 2016 [draft] be approved.

The motion was agreed to.

4. **Draft Budget Scrutiny 2016-17:** The Committee took evidence on the Scottish Government's Draft Budget 2016-17 from—

Michael Matheson, Cabinet Secretary for Justice, Don McGillivray, Deputy Director, Safer Communities Directorate, and John Nicholson, Safer Communities Directorate, Scottish Government.

Roderick Campbell declared an interest as a member of the Faculty of Advocates and John Finnie declared an interest as a recipient of a police service pension.

5. **Abusive Behaviour and Sexual Harm (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

Michael Matheson, Cabinet Secretary for Justice, Scottish Government.

Gil Paterson indicated that he was a former member of the board of Rape Crisis Scotland.

6. **Public petitions:** The Committee considered the following petitions and agreed in relation to—

PE1280 by Dr Kenneth Faulds and Julie Love on fatal accident inquiries: to close the petition on the basis that the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Bill as passed addresses the main concerns raised by the petitioners;

PE1370 by Dr Jim Swire, Professor Robert Black QC, Robert Forrester, Father Patrick Keegans and Iain McKie on Justice for Megrahi: to write to the Lord Advocate asking him to respond to recent correspondence from the petitioners and to keep the petition open whilst monitoring the progress of the Police Scotland investigation known as Operation Sandwood;

PE1479 by Andrew Muir on complaints about solicitors: to close the petition on the basis that the Scottish Legal Complaints Commission intends to undertake a further consultation on proposed rule changes, including on the time-barring of complaints;

PE1501 by Stuart Graham on public inquiries into self-inflicted and accidental deaths following suspicious death investigations; and PE1567 by Donna O'Halloran on investigating unascertained deaths, suicides and fatal accidents in Scotland: to write to the Cabinet Secretary for Justice asking what assurances can be given to families who question the validity of a police investigation and subsequent decision made by the Crown Office and Procurator Fiscal Service, and to keep both petitions open;

PE1510 by Jody Curtis on the closure of police, fire and non-emergency service centres north of Dundee: to keep the petition open whilst monitoring progress;

PE1511 by Laura Ross on the decision made by the Scottish Fire and Rescue Service to close Inverness control room: to keep the petition open whilst monitoring progress.

7. **Subordinate legislation:** The Committee considered the following negative instrument—

Management of Offenders etc. (Scotland) Act 2005 (Commencement No. 8 and Consequential Provisions) Order 2015 (SSI 2015/397).

The Committee agreed to make no recommendation in relation to the instrument.

8. **Work programme (in private):** The Committee considered its work programme and agreed to write to Police Scotland in relation to the evidence session on 12 January on the interception of communications by Police Scotland.

The meeting closed at 1.01 pm.

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