OFFICIAL REPORT
AITHISG OIFIGEIL

Criminal Justice Committee

Wednesday 18 March 2026

Session 6

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CRIMINAL JUSTICE COMMITTEE
11th Meeting 2026, Session 6

CONVENER

*Audrey Nicoll (Aberdeen South and North Kincardine) (SNP)

DEPUTY CONVENER

*Liam Kerr (North East Scotland) (Con)

COMMITTEE MEMBERS

*Katy Clark (West Scotland) (Lab)
*Sharon Dowey (South Scotland) (Con)
*Jamie Hepburn (Cumbernauld and Kilsyth) (SNP)
*Fulton MacGregor (Coatbridge and Chryston) (SNP)
*Rona Mackay (Strathkelvin and Bearsden) (SNP)
Pauline McNeill (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Angela Constance (Cabinet Secretary for Justice and Home Affairs)
Clare McKinlay (Scottish Government)
Edward Mountain (Highlands and Islands) (Con)
Nicholas Parton (Scottish Government)
Robert Wyllie (Scottish Government)

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Criminal Justice Committee

Wednesday 18 March 2026

[The Convener opened the meeting at 09:30]

Northern Ireland Troubles Bill

The Convener (Audrey Nicoll): Good morning, and welcome to the 11th meeting in 2026 of the Criminal Justice Committee. We have received no apologies, and we expect to be joined by Pauline McNeill and Katy Clark shortly.

Our first item of business is an oral evidence-taking session on a legislative consent memorandum and a supplementary legislative consent memorandum for the United Kingdom Government's Northern Ireland Troubles Bill.

In addition to the Cabinet Secretary for Justice and Home Affairs, I welcome Nicholas Parton, from the Scottish Government's veterans unit, and Clare McKinlay, who is a solicitor in the Scottish Government's legal directorate.

I refer members to paper 1. I intend to allow up to 30 minutes or so for items 1 and 2.

As usual, I begin by asking the cabinet secretary to make some opening remarks on the LCMs.

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): Thank you, convener. Good morning. I am grateful for the opportunity to be with the committee to speak about the UK Government's Northern Ireland Troubles Bill and the associated legislative consent memorandums.

As committee members will recall, in 2022, the previous UK Government introduced the Northern Ireland Troubles (Legacy and Reconciliation) Bill. At the time, the Scottish Parliament withheld its consent to the bill due to a number of factors, including the bill's potential impact on the powers and independence of the Lord Advocate, the view that it would not make it easier for victims of the troubles to obtain justice, and the view that its immunity provisions relating to those who come forward with information might breach compliance with articles 2 and 3 of the European convention on human rights. However, on that occasion, the UK Government chose to proceed with the bill, which received royal assent in 2023 in the absence of the Scottish Parliament's legislative consent for relevant provisions.

It is useful to bear in mind that context when considering the Northern Ireland Troubles Bill, which will repeal and replace elements of the 2023 act. The changes include the establishment of a UK-wide legacy commission, the core function of which will be to investigate conduct that caused death or serious harm and formed part of the troubles. The commission will replace the body that was established under the 2023 act. The bill will also establish procedures for investigations by the legacy commission, amend arrangements for inquests in Northern Ireland into troubles-related deaths and require the legacy commission to produce a historical record of deaths linked to troubles-related conduct that were not otherwise investigated.

Our officials have had extensive engagement with the Northern Ireland Office on the bill, for which I am thankful. Our principles in respect of the new bill are clear and have not changed. Those who suffered during the troubles should be able to obtain justice, and those who committed serious offences during that time should be appropriately held to account. However, in seeking to achieve that, the new bill should avoid having a potentially detrimental impact on the Lord Advocate's independence or constitutional position, or it should at least limit that impact as far as possible.

Our conclusion is that, although the bill is imperfect in places, it still represents a significant improvement across all those areas of principle. The proposed bill will have less of an impact on the Lord Advocate's independence than the existing 2023 act. Importantly, it includes an express confirmation that the provision of information about troubles-related deaths to the new international body that will be established will not result in immunity from prosecution. Immunity in respect of troubles-related conduct was previously granted under a contentious provision in the 2023 act, which MPs have voted to repeal by remedial order due to its incompatibility with the European convention on human rights.

The position that is reflected in the new bill aligns more closely with the Scottish Government's views on the rights of victims and the need for accountability for those who committed troubles-related offences. Therefore, the Scottish Government's position is that the Parliament should give its full consent to the bill.

The Convener: Thank you very much, cabinet secretary. Clause 28 is on matters relating to the investigation of deaths, and I am pleased that clause 28(10) will allow the Lord Advocate to request that the new commission investigates cases in which there is evidence of conduct that could amount to an offence under the law in Scotland.

I have a general question about the legacy commission's functions, which will be to investigate conduct that caused death or serious harm and formed part of the troubles and to

conduct inquisitorial proceedings into the circumstances of certain deaths. For clarity, will you outline the distinction between those two functions?

Angela Constance: I will ask my officials to provide the details on that in a moment.

I wish to make the broader point that the Crown Office and Procurator Fiscal Service's view on the bill is important, as you would expect. I go back to the point that the bill will have a reduced impact on the powers of the Lord Advocate, as the head of the independent prosecution service in Scotland. It is acknowledged that the provisions continue to encroach, but they are either no worse than the existing provisions or an improvement. It is important that we consider the context of current UK legislation when we are considering the bill. The removal of the immunity provisions addresses the point about incompatibility with the ECHR.

Do my officials want to come in? I do not know whether the question relates to policy or legal matters.

Nicholas Parton (Scottish Government): Clare McKinlay can come in, or I can give answering the question a go. Convener, can you remind me what distinction you are asking about?

The Convener: The new legacy commission's core functions will be to investigate conduct associated with the troubles that caused death or serious harm and to conduct inquisitorial proceedings into the circumstances of certain deaths that were caused as part of the troubles. Can you help us to understand the distinction between those two functions?

Angela Constance: You are asking about the distinction between conducting investigations and conducting inquisitorial proceedings. Is that right?

The Convener: Yes.

Clare McKinlay (Scottish Government): One distinction is that the investigations can relate to a wide range of criminal conduct, not only conduct that caused deaths, whereas inquisitorial proceedings are restricted to the investigation of the circumstances of certain deaths.

I do not have details to hand on the allocation process in relation to which proceedings would apply for certain deaths. However, the bill makes detailed provision for different procedures to apply to each process and for different members of the legacy commission with different functions to conduct those procedures.

If it would be helpful, we could certainly look to provide a bit more information to the committee following the evidence session.

The Convener: That would probably be helpful for our understanding of the bill's provisions, although we are limited in our time. I was just wondering whether the opportunity for inquisitorial proceedings flowed from the outcome of an investigation, if you like. If you could clarify that by way of follow-up, that would be helpful.

Angela Constance: That is no problem at all, convener, and we will, of course, do that, but it is important to emphasise that this is not a Scottish Government bill—it is a UK Government bill—and our active interest in it is how it encroaches on devolved matters or otherwise.

The Convener: Thanks very much.

My final question relates to some of the information in the memorandum. It seems to suggest that certain clauses confer powers on UK ministers to act in devolved areas but make no provision for the involvement of Scottish ministers. If I am reading it correctly, it seems that the rationale for the Government still recommending that the LCM be agreed to is that the clauses in question are unlikely to be applicable in Scotland, due to there being no known troubles-related deaths or serious injuries in Scotland that we are aware of. How can we be sure that that would remain the case and that, in the passage of time, we would not find such cases being uncovered?

Angela Constance: That is an important point, convener, and we have continued to engage with the Crown Office on the matter. Obviously, the legislation relates specifically to past events that have taken place in Northern Ireland, and, of course, individuals from elsewhere in the UK could have been involved in those events.

As for events in Scotland—we have checked this with the Crown Office, which I believe has checked as far as it is possible to do so—no known deaths or major injuries have occurred in Scotland due to the troubles. Therefore, the impact on the Lord Advocate's powers, for example, is believed to be minimal.

The Convener: Thank you for that reassurance. I will hand over to Liam Kerr.

Liam Kerr (North East Scotland) (Con): Good morning, cabinet secretary. The veterans commissioners for Scotland, Northern Ireland and Wales have expressed concerns about veterans protections, lawfare and historical narrative revision. Given that—indeed, in any event—has the cabinet secretary sought the views of the Scottish Veterans Commissioner? If so, what is her view?

Angela Constance: I have not had any direct engagement with the veterans commissioner on this matter, although I have on other matters in the past. I know that Mr Dey, the veterans minister,

continues to engage with the commissioner on a whole range of matters, and that he is aware of the concerns expressed by the commissioners in Scotland and elsewhere. I am, of course, aware of the representations that all veterans commissioners have made to the UK Government in respect of its bill.

I am also aware of a commitment from the UK Government to continue to engage with the veterans commissioners, as we would all expect. Protections are proposed for veterans, including a presumption with regard to remote evidence, so that people do not have to travel to Northern Ireland. There are also protections against repeat investigations, the right to anonymity and the right to have veterans' voices heard. There is a statutory advisory group associated with the bill, and there are other protections on the grounds of age and welfare.

I am just providing that by way of information rather than as commentary, as this is not a Scottish Government but a UK bill.

Liam Kerr: I am grateful. Have you had any direct meeting, or is there any correspondence that you can share, with the Secretary of State for Northern Ireland on either the substantive bill or the LCM?

Angela Constance: I will check on that, Mr Kerr. Officials have had a lot of engagement with the Northern Ireland Office. I do not know what correspondence exists, but I will go away and check. If there is information that we can share, there would be no reason for us not to share it.

09:45

Liam Kerr: I am grateful.

You will see a theme develop with my final question at this stage. I understand that the Scottish Government has had verbal engagement with Police Scotland about the bill, but there is currently no written record of that engagement. Have you met Police Scotland and discussed the bill? Is there any point at which we can see the written note of what Police Scotland's view was in that verbal engagement?

Angela Constance: I have not engaged with Police Scotland directly, person to person, on this, but I believe that officials have. Again, I can check what information exists in the records.

The Convener: Mr Mountain, would you like to come in?

Edward Mountain (Highlands and Islands) (Con): Thank you, convener. I am grateful that you have allowed me to join your meeting this morning. In my 10 years in the Parliament, it is the one committee that I have not attended.

I want to make a declaration up front, so that everyone knows exactly where I am coming from. I was a soldier for 12 years. I did not do an operation banner tour in Northern Ireland, but a lot of my friends served there, and I had friends who died there. In July 1982, in London, friends and colleagues in my regiment—Anthony Daly, Roy Bright, Jeff Young and Simon Tipper—were blown up, with their horses, while they were carrying out ceremonial duties. In 2020, a colleague, Dennis Hutchings, was dragged back to answer charges dating back to 1974. He was suffering from a terminal illness and died before his trial was completed. For a variety of reasons, I am emotionally invested in the bill.

Let us say that John Downey, one of the IRA members who planted the bomb in London, who was given an on-the-run ticket, was living in Scotland. Would the legacy commission, as set up by the bill, which the Government in Scotland is supporting, haul him in for justice in the same way that Dennis Hutchings was for an event in 1974?

Angela Constance: I want to be clear about what Mr Mountain is asking.

Edward Mountain: A legacy commission is being set up by the bill, which you support. Will the legacy commission look at both sides of the argument, unlike what happened in the past, before the 2023 bill, when it was just soldiers and servicemen and women who were hauled before the legacy commission? Will people who were involved from—I will be careful with my terminology—the other side be hauled in front of the legacy commission?

Angela Constance: I will ask officials to come in on the detail of that, Mr Mountain. The only point that I want to clarify is that I am taking through the Parliament a legislative consent memorandum on the aspects of a UK Government bill that will impact devolution. The legacy commission is a UK-wide commission, which, as I understand it, has been established as an international body.

Nick Parton, is there anything that you could add about the functioning of the commission?

Nicholas Parton: My understanding is that the commission can take information about any serious criminality that has occurred in relation to the troubles. That would include information relating to the sort of individual whom you describe, Mr Mountain—someone who is on the other side, as you put it, of the conflict. My understanding is that the commission could look at both sides.

Edward Mountain: I have one more question. Cabinet secretary, what I know is that the majority of us have no idea what it is like for the people whom we ask to serve their country and whom we

throw into harm's way. Decisions must be made in split seconds, when things go—excuse the vernacular—batshit crazy. You look left, you look right, you make sure the people on either side of you are all right, and then you do everything in your power at that stage to protect them. I struggle to understand how setting up a commission whose members sit in a warm room with cups of coffee and water and adequate food can look back dispassionately and make judgments about what people did at the time—things that people in those situations thought were the right things to do. Hindsight is a wonderful thing, but, when you have things being thrown at you, you do not have that view.

Is the Scottish Government content that the bill will protect soldiers and servicemen and women from all the services who have done exactly what we have asked them to do in really difficult situations that are, for most of us, impossible to understand?

Angela Constance: Like many people who have never served on the front line, I do not have a comprehensive or complete picture or lived experience of what that is like. Like many Scots, I have a close family member who has served, but, of course, the knowledge and information that I have gained from them is only at second hand. From my engagement with the veterans community in my constituency, I am well aware of the long-term social, emotional and physical impacts that serving your country and being prepared to make the ultimate sacrifice can have not just on those who serve but on their loved ones.

I come back to my position, which is that I am being asked to give a view on legislative consent with regard to how the bill impacts devolution, and there are three principles that I have to come back to. First, does the bill mitigate, avoid or limit the detrimental impact on the Lord Advocate that I was previously concerned about? In my view, it does. The other two principles are ones that apply to everyone in relation to the Northern Irish troubles, whether they have served or are a civilian. They are that those who have suffered should be able to obtain justice, and that those who are believed to have committed serious offences should be held to account. Those principles have to apply to everyone in relation to how they have been affected by the Northern Irish troubles, regardless of whether they have served or not.

We have to be fair to everyone. It will be for MPs—we all have MP colleagues—to scrutinise the detail of the bill and to ensure that the legacy commission, which is established as an international body, is robust and fair to all involved.

Edward Mountain: I share the view of the cabinet secretary that the system should treat everyone equally. My fear is that the bill will make the situation unequal for those who have responded to the call of their country to do what they are asked to do. I do not need to mention that three Scottish soldiers—young lads—were hauled out of their barracks, shot and killed. No one has been called to justice for that. My view is that giving consent to a bill that does not ensure justice for both sides is fundamentally wrong. I urge committee members to reflect on that when, as I know that they will do, they give the issue the serious consideration that it needs.

Thank you for allowing me to make my point this morning, convener.

Liam Kerr: I have a quick question. What happens if the committee does not recommend consent to Parliament, and what happens if Parliament does not consent to the LCM? When do you anticipate that Parliament will be asked to give its consent to the LCM?

Angela Constance: I refer you to what happened when we voted to withhold consent to the 2023 act, which was that the UK Government proceeded with it anyway. You asked that question, Mr Kerr, but I think that you knew the answer.

Liam Kerr: When do you think that the Parliament will be asked the substantial question?

Angela Constance: I am not actually sure about that.

Liam Kerr: Presumably it will be in the next session.

Angela Constance: Presumably, but I have not got past this week, never mind next week. [*Laughter.*]

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I had not intended to say anything—this is more of an observation than anything else. I take on board the points that Mr Mountain made: it is perfectly legitimate to take a wider view on the bill. We need to remember that we are being asked to look at a narrow part of the bill in relation to legislative consent. It strikes me that we should make sure that we protect the independence of the Lord Advocate, which is something that we should all reflect on as important.

The Convener: Does any other member wish to come in? I see that they do not. That concludes our evidence session. I will now allow a short discussion through which, if they wish to, members can give me an indication of their views on the LCM before we move to the question of consent and any recommendations to Parliament.

Liam Kerr: I am not sure whether this is a separate part of the proceedings, but I do not think that the committee should recommend to the Parliament that, at this stage, the provisions be consented to. I have two reasons for saying that, which are rooted in the questions that I put to the cabinet secretary. First, the cabinet secretary's helpful letter of 13 March concedes that the bill's substantive timetable remains uncertain, and, when I asked about the veterans commissioners, the cabinet secretary referred to something that is in paragraph 26 of the LCM, which says:

"the latest joint statement from the Veterans Commissioners welcomes an indication from UK Government Ministers that further planned engagements with Ministers … should result in changes to the legislation".

So, something could well change.

The second reason why I do not think that the committee should recommend agreement to the Parliament at this stage is that, from what we have heard—I make no criticism of the cabinet secretary; this is an observation—we have not got full consultation. I do not know what the Scottish Veterans Commissioner or the Secretary of State for Northern Ireland think about it. I do not yet know what Police Scotland thinks about it. The cabinet secretary was helpful—she said that she might have something on that and that, if so, she would send it in—but I feel as though I am looking at the LCM in a vacuum. I do not have the information and I am being asked to make a recommendation to my colleagues in the Parliament. That concerns me, because I do not think that our Parliament in Holyrood should be giving a blank cheque to the UK Government.

We do not need to give consent now. As the cabinet secretary just said, the substantial question will be dealt with in the next session, by which time more details will have become available. I do not think that we should make that recommendation without knowing exactly what we are being asked about. Given that the issue will go into the next session, it seems that we—that is, our successor committee—will have time to get that information and make a fully informed and considered decision and, thus, recommendation to our Parliament.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Liam Kerr makes some valid points. However, I disagree, as I think that we should agree to make that recommendation to the Parliament. It is obviously a serious and sensitive issue and I would not want the Scottish Parliament's role in it to be one that holds anything up.

Edward Mountain has made a strong case in relation to his own personal experience. He has brought to the table something that the rest of us do not have.

The question that I was going to ask predates Liam Kerr's comments, which sort of changed the angle of the conversation. I was going to ask whether, if the committee decides to recommend consent, there is anything that we can do to make Mr Mountain's views known to the relevant people in the UK Government.

10:00

The Convener: Thank you. Do any other members want to come in?

Katy Clark (West Scotland) (Lab): I am not sure whether there will be another opportunity to comment, convener. If not, I will come in now.

I would like to hear from the cabinet secretary about timescales and whether we need to deal with the issue today.

I thank Mr Mountain for putting his experience on the record, which has helped to put this relatively narrow legislative matter into its wider context. The purpose of the legacy commission is to investigate conduct causing death or serious harm that formed part of the troubles, and to conduct proceedings investigating the circumstances of certain deaths. I support that, but the clarity on the narrow nature of the LCM is helpful.

I am pleased that the issues around the independence of the Lord Advocate have been resolved, because the committee was extremely concerned about those issues when we discussed the matter previously. That was the major focus, so I am pleased that that seems to have been settled in a satisfactory manner.

I ask the cabinet secretary whether we have time to get further information or whether we should deal with the issue now, before the election.

The Convener: I bring in the cabinet secretary to respond to the points that have been made.

Angela Constance: There will be further legislative consent motions, because the aim is to have royal assent around autumn this year.

I am aware that the veterans commissioners have engaged directly with the Northern Ireland Office on the effects of the Northern Ireland Troubles Bill. In November, the commissioners stated that UK ministers had indicated that there were

"further planned engagements with Ministers and senior officials"

to work on changes to the bill that

"will provide an improvement for the veteran community."

Obviously, I am not involved in that or in control of it. Our current understanding is that the UK Government will introduce a further package of amendments at committee stage to build on the existing safeguards in the bill. The Government will consider those changes when they are made. Therefore, there will be further LCMs.

I hope that that reassures colleagues. Obviously, the committee will come to its own view, but my view is that we should proceed with the LCM today, because it is a very discrete ask. We need to welcome the improvement in relation to the Lord Advocate's position and the removal of the immunity from prosecution provisions, which removes the ECHR concerns.

My final point is that the bill already includes protections that do not currently exist, and the UK Government has signalled that it will introduce amendments to build on the existing safeguards in the bill. I support proceeding with the LCM now, but I expect the Government to return to the committee in due course.

The Convener: Thank you.

Jamie Hepburn: It strikes me that there are two ways of looking at this. I hear some colleagues wondering why, as the bill is not going to get royal assent until autumn, there is all this urgency just now. However, I would take the counter-view and go back to the point that we are being asked to give legislative consent on a very narrow basis. We are being asked to give some indication to the UK Government with regard to the interests of the Scottish Government, and the Scottish Parliament, in relation to devolved matters. The most fundamental issue in that respect is that of the Lord Advocate's independence, and, on that basis, we are satisfied.

I would just reflect on the cabinet secretary's point that the Parliament will return to this matter. If there are wider issues that impinge and touch on devolved competence in relation to the very legitimate concerns that Mr Mountain, in particular, and Liam Kerr have raised, this Parliament will have plenty of opportunity to say yea or nay in giving legislative consent on those other matters.

I completely understand people's instinct that we still have time, but in my experience, the UK Government is not likely to say, "We're just going to stop and wait until the Scottish Parliament has consented to this element." We are just indicating that, as far as this narrow area is concerned, we are satisfied, but clearly we can return to the subject in due course. On that basis, I suggest that we indicate our support in this particular area at this time.

The Convener: Thank you very much. As no other members wish to come in, I just want to acknowledge all the points that have been made. We have covered quite a range of different aspects of the LCM, and I am grateful for that. Like Jamie Hepburn, I am grateful for the clarification that we have had, particularly with regard to the role of the Lord Advocate as it flows from the bill.

Given the different viewpoints that have been shared, I suggest that we have, perhaps, two options. We can continue with the process of agreeing the LCM, or we can hold off making a recommendation, but highlight some of the points that have been raised in today's discussion in the report to Parliament that we will compile following this session and seek further information or clarity or raise any other points that members wish to raise.

I propose that we proceed to considering approval, but that we set out our position in our report to Parliament. Do members agree to that course of action?

Liam Kerr: I just want to be clear on what I am agreeing to. Are we being asked to recommend, in writing, to our colleagues in full Parliament that the LCM be agreed to?

The Convener: Not quite. I am proposing that we proceed with the formal process that we are about to go through. Obviously, if members do not agree, we will go to a division, but thereafter, we will ensure that the points that have been raised by committee members are set out in the report that we share with Parliament.

Liam Kerr: Forgive me, convener, but I still do not understand. My position is that I do not feel able to say to my colleagues in full Parliament, "I think that this LCM should go through." I think that we should take our time. As long as that is somehow clear, I will do whatever I need to.

The Convener: I will bring Stephen Imrie in to ensure that I am covering the technicalities of the process.

Stephen Imrie (Clerk): If I understand correctly, convener, your proposal is for the committee to carry on in the usual fashion for an LCM, which is to ask the cabinet secretary to put the question on the issue of recommending consent to the Parliament. If the committee agrees to do so, that would be reflected in the committee's vote and in its report. Additionally, if I understand correctly, convener, the report would reflect the views that have been expressed by various members.

The question of when the legislative consent motion would be voted on by the Parliament is more a matter for the Minister for Parliamentary Business and Veterans and the Parliamentary Bureau. My understanding is that the question on the legislative consent motion will not be put in this

parliamentary session, and that it will be a matter for session 7.

In effect, at this point, the committee is being asked to recommend that the Parliament, in a future parliamentary session, give consent to the particular provisions in the cabinet secretary's motion, while reflecting the views of different members in the committee's report. That would highlight to members in the future parliamentary session what different members have said and some of their reservations about the process.

The Convener: Is that clear?

Liam Kerr: Yes, thank you.

Fulton MacGregor: Would the views that you referred to include what Mr Mountain has brought to the table today or would they only be those of committee members?

Stephen Imrie: They would include Mr Mountain as well. His views will be in the *Official Report*, and the clerks, with the convener, would reflect the flavour of the debate and make reference to the full *Official Report*, which members in a future parliamentary session could read.

Jamie Hepburn: I might be reiterating the point, but that strikes me as a sensible way forward. The concern that has been raised probably strays slightly wider than the strict area that we are being asked to provide legislative consent to. I would be content for us to say, "We are happy to recommend legislative consent to this narrow area, but here are some wider issues around the bill that we think the Parliament still needs to reflect on." That would be a perfectly legitimate and sensible thing for us to do.

Katy Clark: I am minded to support the legislative consent motion that is before us today, given the nature of its content, which seems to relate to the gathering of biometric evidence, legal representation expenses, evidence and records. Those are relatively ancillary matters rather than the principled issues that Mr Mountain has raised with us today.

However, I was surprised when I heard that we will not vote on the motion in this parliamentary session. It would be helpful to hear a bit more about the thinking and reasoning for that. I appreciate that that might not be something that the cabinet secretary has been involved with. I presume that the reason could be that there might not be a committee system up and running when the next parliamentary session begins, and that setting up committees would take some time. I know from our experience at the beginning of this parliamentary session that it took several months to set up the committees. Therefore, in any event, the motion would go straight to the Parliament.

That is the only argument that I can think of for this committee dealing with the legislative consent motion by making a report to members in the next parliamentary session. I would have thought that, ideally, a committee in the next parliamentary session would consider the issue, so that the members who are involved in the scrutiny at that point could take part in the wider parliamentary debate. It would be helpful to get the thinking behind that clarified. I appreciate that the people in this room might not be the ones who have that information.

As I say, I am minded to vote in favour of recommending the legislative consent motion.

The Convener: I thank all members for their comments. I cannot answer that final question, but I will bring in Stephen Imrie again, if he has any information.

Stephen Imrie: I will answer the question to the extent that I can. As I said, the scheduling of the legislative consent motion for the Parliament is a matter for the Minister for Parliamentary Business and Veterans and the Parliamentary Bureau. My understanding from the Parliament's business team is that the legislative consent motion is not currently scheduled for this side of the campaign recess. I do not have any details of when it might be scheduled in session 7—that would be for members in the next parliamentary session and the new Parliamentary Bureau to decide.

Committees are normally established within two to three weeks of a new session, but that may take longer—I do not know for sure. That is a matter for the members in the next parliamentary session and it will be subject to negotiations between business managers.

I will try to find out more for members about the scheduling intent. However, as I said, those are mainly matters for the next session of Parliament and a new Parliamentary Bureau. I will ask the office of the Minister for Parliamentary Business and Veterans for an explanation of why the LCM is not being voted on in this session, and, if it is able to provide one, I will provide it to the committee.

The Convener: Thank you, Stephen. I will move on and ask the question.

Do members of the committee agree to recommend to the Parliament that consent should be given for the relevant provisions covered by LCM S6-68 and LCM S6-68a?

Members: No.

The Convener: There will be a division.

Jamie Hepburn: I am sorry, but does the cabinet secretary not have to move it first?

The Convener: No, because it is an LCM.

Stephen Imrie: It is a recommendation of the committee, not an affirmative SSI, so we do not need the cabinet secretary to move the motion as we would for an affirmative SSI.

Jamie Hepburn: Okay. That is fine.

The Convener: In that case, we will go back to the beginning. That might be easiest.

Is the committee content to recommend to the Parliament that consent should be given for the relevant provisions covered by LCM S6-68 and LCM S6-68a?

Members: No.

The Convener: There will be a division.

For

Clark, Katy (West Scotland) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

Against

Dowey, Sharon (South Scotland) (Con)
Kerr, Liam (North East Scotland) (Con)

The Convener: The result of the division is: For 4, Against 2, Abstentions 0.

We are agreed that consent should be given.

Are members content to delegate responsibility to me and the clerks to approve a factual report outlining the points that have been raised today to the Parliament on the LCMs?

Members *indicated agreement*.

The Convener: I thank the cabinet secretary for attending. We will now suspend briefly to allow a changeover of officials.

10:17

Meeting suspended.

10:23

On resuming—

Crime and Policing Bill

The Convener: Our next item of business is an oral evidence session on a supplementary legislative consent memorandum for the UK Government's Crime and Policing Bill. In addition to the Cabinet Secretary for Justice and Home Affairs, I welcome Scottish Government officials Yvonne Edmond, from the international justice co-operation team; Patrick Down, from the criminal law, procedure and sentencing team; and Jim Hislop, from the organised crime unit.

I refer members to paper 2. I intend to allow up to 15 minutes for these items. I invite the cabinet secretary to make some opening remarks on the LCM.

Angela Constance: I am here to speak on the UK Government's Crime and Policing Bill, to which new clauses have been added that again trigger the requirement for legislative consent. I appeared before the committee on 1 October last year to give evidence on LCMs that were lodged in May, June and August 2025. I then attended the committee for a second time last month, on 25 February, to give evidence on the supplementary LCM that was lodged in December 2025. Following that, the Criminal Justice Committee recommended to the Parliament that consent be given for the provisions that are covered by those LCMs.

At committee last month, I set out that a further supplementary LCM was anticipated. Following that, we lodged our fourth supplementary LCM on 2 March 2026. That LCM covers the issues of remote sale or letting of knives, as well as the application of the definition of "law enforcement employer" and the advisory lists for the Civil Nuclear Constabulary and the British Transport Police. The amendments bring benefits to Scotland, so the Scottish Government is happy to recommend that Parliament provides legislative consent to the relevant provisions in the bill.

Clauses 31 to 35 in the bill relate to knives and crossbows that are sold remotely. Remote sales include not only online sales but things such as mail order sales or sales by phone. Essentially, the concept of remote sales captures sales that are not made face to face—for example, sales that are not made in bricks-and-mortar shops. Age verification is a key element of knife and weapon sales, and that presents distinct challenges when a sale takes place remotely.

In addition to the challenge of verifying age when a sale takes place remotely, there is the process of delivery of the item, where an increased

risk of bypassing age verification arises. The amendments to clauses 31 to 35 extend across all the nations of the UK so that there is one system in place for retailers, delivery firms and businesses operating as collection points. The effect of the amendments is to strengthen the specific requirements on age and identity verification at the point of remote sale and at the point of delivery or collection. The amendments provide the Scottish ministers with powers to prescribe by regulations steps that a retailer, delivery firm or collection point operator may take to verify a buyer's age and identity.

In addition, a new offence of delivering or handing over a package containing a knife or crossbow to someone other than the buyer is created. That means that knives and crossbows can never be left with a neighbour, for example, or collected by someone other than the buyer—they must be delivered or handed over direct to the buyer. That strengthening of the requirements is needed to reduce the risks of weapons getting into the hands of underage individuals, and follows a recommendation from a UK Government-established independent review.

Although this area of law is devolved, the policy extends to Scotland, as we consider that it is a sensible approach to have UK-wide laws to ensure that robust enforcement can occur and to avoid any cross-border loopholes arising. That reflects the nature of the many retailers and delivery companies that operate in all the nations of the UK.

The amendment to clause 179 looks to include the term "law enforcement employer" so that it is consistently applied across clauses 173 to 178. The amendment to schedule 21 of the bill seeks to remove the requirement to include in the advisory list of the Civil Nuclear Constabulary and the British Transport Police those civilian employees who are retired or who resigned before allegations came to light.

A number of amendments were also tabled that do not require the consent of the Scottish Parliament, because they are technical amendments to clauses that have been covered in previous LCMs. Those amendments remove the reasonable belief test from the child criminal exploitation offence, make minor drafting amendments to the provisions regarding child sexual abuse image generators, and make provisions for pre-commencement consultation on police access to driver licence information.

The measures in this fourth supplementary LCM align with Scotland's policy priorities, and the legislative consent of the Scottish Parliament is essential if the measures are to take effect in Scotland. I hope that that brief overview is helpful, convener.

The Convener: As no members want to make any points about the LCM, is the committee content to recommend to the Parliament that consent should be given for the relevant provisions covered by LCM-S6-57d?

Members *indicated agreement*.

The Convener: Are members content to delegate responsibility to me and the clerks to approve a short factual report to the Parliament on the LCM?

Members *indicated agreement*.

The Convener: Thank you. As this is our final scheduled meeting of the parliamentary session, I thank the cabinet secretary and all the officials who have attended the committee and given evidence to us in the past five years. We are very grateful.

Angela Constance: Thank you very much, convener, and all other colleagues across the party divide. It has always been a good experience, if thorough and robust at times. It has been a pleasure to attend the committee.

The Convener: Thank you. I suspend the meeting for a few minutes to allow for a changeover of witnesses.

10:31

Meeting suspended.

10:33

On resuming—

Subordinate Legislation

Antisocial Behaviour (Fixed Penalty Offences) (Miscellaneous Amendment) (Scotland) Order 2026 [Draft]

The Convener: Our next item of business is an oral evidence-taking session on an affirmative Scottish statutory instrument that has been relaid by the Scottish Government. We are joined by the Minister for Victims and Community Safety. I also welcome Robert Wyllie, policy lead in the safer communities division, and Fiona McDiarmid, unit head in the safer communities directorate, both at the Scottish Government. I refer members to paper 3. I intend to allow up to around 15 minutes for this item.

I invite the minister to make some opening remarks on the SSI and perhaps to set out the reasons for its being relaid.

The Minister for Victims and Community Safety (Siobhian Brown): Good morning. First, I want to take the time to apologise to the committee for the circumstances that bring me back here today. I appreciate that time is of the essence considering where we are in the parliamentary session, so I apologise for that.

As the committee knows, the instrument relates to antisocial behaviour fixed-penalty notices. That regime has remained unchanged in important respects—the penalty level, for example—since it was introduced back in 2005. Police Scotland approached the Scottish Government to ask for work to be undertaken to modernise the regime, and in particular to introduce the offence of threatening and abusive behaviour.

We introduced the original draft order following discussions with partners including Police Scotland and the Crown Office. Its purpose, as you know, was to make a series of targeted changes to keep the regime up to date. As part of the policy development work, Government officials reviewed the offence list and proposed removing two offences from the regime on the basis of apparent non-usage. Although Police Scotland supported the proposal, we have now identified that the understanding that we all had of recent usage data for one of those offences was incomplete.

The earlier conclusion was informed by an interpretation of the criminal proceedings in Scotland data that did not fully reflect the way in which such offences are categorised in the published statistics. Forty-three equivalent notices for an offence under section 115 of the Licensing (Scotland) Act 2005 were issued in the most recent reporting year, with a similar volume recorded in the preceding year. In the published statistics, such FPNs are classified alongside other 2005 act offences.

I apologise to the committee for the error. Officials have reviewed how it arose, and clear lessons have been identified to mitigate the risk of its happening in future. Officials have also discussed the corrected position with Police Scotland, and I can reassure the committee that the police considered that, even if we had proceeded with the original proposal, they would still have had been able to deal effectively with the types of cases that they encounter of disorderly behaviour by people who are drunk on licensed premises.

However, I acknowledge the concerns that members raised in the previous evidence session about removing offences based on a relatively short period of apparent non-use. I appreciate that those points were legitimate and I have reflected on them. After considering the complete time-series data and the committee's remarks, I am bringing forward a different legislative approach through this revised instrument, which will allow us to make progress in the areas where there is strong evidence and broad support while at the same time pausing the proposed removal of offences so that they can be considered as part of the wider review of antisocial behaviour legislation that we discussed previously.

The revised instrument focuses on two amendments. First, it increases the FPN level from £40 to £70, restoring its real-terms value. Secondly, it adds offences under section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 to the ASB FPN regime. That section is now routinely used for lower-level conduct and is already eligible for recorded police warnings.

I emphasise that the ASB FPN regime is operated by the police, using their discretion within a clear framework of safeguards. The Lord Advocate's guidelines on direct measures set out the limits on the use of ASB FPNs, require consideration of victim impact, and provide for monitoring and annual reporting.

I hope that the revised approach demonstrates that we have listened carefully to the committee and have responded proportionately, under the circumstances. I apologise again for the need to come back to the committee, and I thank members for their patience.

The Convener: Thank you, minister. The committee is grateful for the update that you have provided, for the explanation that you have given and for some of the detail on the provisions in the SSI.

I now invite questions from members.

Sharon Dowey (South Scotland) (Con): Good morning, minister, and thank you for the opening statement.

You were previously before us on 18 February. As you said, some of the figures in the SSI were incorrect. How, then, did it come to the committee in that form? It had already been considered by the Delegated Powers and Law Reform Committee before coming to us. Our committee asked its questions; we took what we heard on trust and recommended that the SSI be approved. The next step was for it to go before Parliament for agreement, after which it would have become legislation. Who prepared the SSI, and why were the figures not verified before it went to the DPLR Committee and then to ours?

Siobhian Brown: We wanted to reform this part of the fixed-penalty notice regime, which is why the SSI was laid. Obviously, there has been a mistake in the data that was collected. Bob Wyllie, who was in charge of drafting the SSI, can say more about how the statistics were incorrect.

Robert Wyllie (Scottish Government): As the minister described, Police Scotland came to us with a request to add section 38 of the 2010 act to the fixed-penalty notice regime. We then engaged in discussion with Police Scotland, the Crown Office and Procurator Fiscal Service and the British Transport Police to try to understand their needs. We looked at data as part of that and commissioned economists to look at what the right penalty level was. We perceived there to be two offences for which no FPNs were used in the previous financial reporting year.

As part of the purpose of the instrument was to bring the area into line with current practice, we considered it appropriate to remove those offences. We reached out to partners for their views, and Police Scotland and others responded to say that they were supportive. That was the basis on which the instrument was presented.

However, as the minister has outlined, there was an error in the interpretation of those statistics. Going forward, it is effectively impossible for that to happen again, because further changes to the FPN regime will involve much bigger potential changes, such as gradations of the penalty level or the introduction of new offences relating to issues such as fraud or trespass on the railway, which has been suggested by a group that has recently reported to ministers. All of that will need a different process involving economists' input and, potentially, public consultation. That was not the case with this instrument, as it was designed to bring the system into line with current practice as much as possible. That was the basis on which the error was made.

Siobhian Brown: For clarity, I note that my understanding is that the mistake arose because of the way in which officials interpreted the data, which does not fully reflect these offences, in the categories in published statistics. I know that this is quite confusing, but the heading "Riotous behaviour while drunk in licensed premises" covers only offences under the Licensing (Scotland) Act 1976. There is an equivalent offence in section 115 of the Licensing (Scotland) Act 2005, but that comes under a different heading in the data structure, which concerns refusing to leave licensed premises. The 43 ASB FPNs issued last year were issued under section 115 of the 2005 act and were not included under the old data heading. That is where some confusion has arisen. However, that has been picked up and measures have been put in place to ensure that that never happens again. The issue involved offences being categorised in different areas.

Sharon Dowey: The increase in the fine was not an issue at committee last week—I think that we all agreed on that. Similarly, adding in the extra offence was not an issue, either. However, there was concern about the process around removing two offences.

Robert Wyllie said that there was engagement with the Crown Office and Procurator Fiscal Service and Police Scotland, and I think that he mentioned that there was also engagement with economists and the British Transport Police as well. Who was it that asked for the offences to be removed? Again, there were only two years in which the FPNs had not been used, which, in relation to legislation, is quite a short period: we often pass legislation in here that does not even get implemented within two years. Who decided that we were going to remove the offences, and why did nobody question it? You said that "we perceived" that the offences did not need to be included, but who was "we"? You said that you reached out to various people. Did you have any in-person meetings, or did you just send emails?

Siobhian Brown: I will have to bring in officials to answer that, because my understanding from my meeting with officials before we came into the committee is that the SSI was updating the position, because, for the past two years, it was deemed that there had not been any relevant offences, and, in liaison with Police Scotland, no one had brought that up as an issue. That is why the issue arose. It was only after this committee had looked into the matter that it was found that relevant offences had been placed in a different category. That is why I am back here today, listening to the committee, to ensure that it is only the increase in fees that is now added. When we move forward in the next parliamentary session with legislation and broader work on antisocial

behaviour and fixed-penalty notices, the issues will be addressed at that stage.

10:45

Sharon Dowey: I am still looking for an answer. The information that was given to you was obtained by officials in meetings. You have taken it as fact. Despite having the Crown Office and Procurator Fiscal Service, Police Scotland, the British Transport Police, economists and Government officials look at the matter, you have presented the committee with incorrect information, and you want us to change the legislation. When we come to committee, we expect the information that we are given to be factually accurate. Will an investigation be carried out into how we were given incorrect information to present to Parliament?

Siobhian Brown: I do not know whether Bob Wyllie or Fiona McDiarmid wants to come in.

Robert Wyllie: The proposal to remove offences was suggested by Government officials. That is the answer to your previous question.

Sharon Dowey: On the basis that they had not been used for two years.

Robert Wyllie: Yes, that is right. The question was asked, "Is this in line with current practice? Are these offences needed at the moment?" We proposed that they be removed to align with current practice. That seemed like a sensible measure in a context in which we were adding offences under section 38 of the 2010 act to the fixed-penalty notice regime.

In answer to your question about an investigation, quite intensive investigations have been carried out, at policy level and with statisticians, to establish what we can do to make sure that this does not happen again. As I have indicated, the future policy work on the antisocial behaviour fixed-penalty notice regime will be done in a very different way, so it will not be possible for this to happen again.

In addition, statisticians are looking at the way in which information on ASB FPNs will be presented in the future in the criminal proceedings in Scotland statistics, so that we can learn from what has happened.

Investigations have been undertaken in an attempt to get to the bottom of what has happened and to make sure that it does not happen again. Given the guardrails that are now in place for future work, we can give an assurance that we will not find ourselves in this situation again.

Siobhian Brown: I have been the Minister for Victims and Community Safety for close to three years and this has never happened before, so it is not something that happens all the time.

Sharon Dowey: Not that we are aware of. I hope that there will be no more similar instances.

On 18 February, we were told that Police Scotland did not want the offence of being drunk in charge of a child to be removed from the ASB FPN regime. Why did you proceed with the process of taking it out of that regime?

Siobhian Brown: I am sorry—what did you say?

Sharon Dowey: You told us that Police Scotland did not want the offence of being drunk in charge of a child to be removed from the ASB FPN regime—that is in the *Official Report* of our meeting on 18 February—so why did you proceed with removing it from that regime through the SSI?

Siobhian Brown: I cannot remember Police Scotland saying that—those remarks might have been misinterpreted.

The Convener: Is that question relevant to the instrument that we are dealing with today?

Sharon Dowey: The minister told the committee:

"When we engaged with the police on the instrument, it was not an issue that they raised, but they wanted that offence kept on the list."—[*Official Report, Criminal Justice Committee*, 18 February 2026; c 7.]

Robert Wyllie: I think that that is a misunderstanding. Police Scotland are quite clear that being drunk in charge of a child is not an offence in relation to which it would look for an ASB FPN to be issued.

Sharon Dowey: Quite a number of cases involving that offence went to court—I saw that in the updated figures.

Jamie Hepburn: What has happened is unfortunate, but I am inclined to recognise that it is unusual. I know from my own experience that things can go wrong, but it does not happen often.

When we recommended that the previous instrument be approved, we were reassured by the fact that the various offences that were being removed could still be prosecuted under common law and other legislation, but it would be useful to understand what will happen in future.

You have brought forward the SSI, and we all accept that it rectifies the particular problem. You have recognised the problem and let the committee know about it, which we all appreciate. The new SSI deals with the problem, which is welcome, but it would be useful to understand what will happen in future. The first question might be whether it would be better and safer to operate a presumption against removing offences, rather

than looking at it the other way round and asking what we should remove. We should be reassured that an equivalent offence has superseded it and I understand that is what is happening.

I do not want to go into a lot of detail right now, minister, but maybe you could put it in writing that you are clear that this will not happen again because processes have changed. Mr Wyllie used the word “guardrails”. We can get some sense of what that might mean, but I would be reassured if we could get a bit more information about what steps and measures have been taken to use this as a learning experience to make sure that it will not happen again.

Siobhian Brown: The first part of the question is about what will happen moving forward. I cannot speak on behalf of the Government in the next parliamentary session, but we know that there will be antisocial behaviour legislation, and we have the report on the review of antisocial behaviour.

A lot of work should be done in the next parliamentary session on antisocial behaviour and maybe there also should be an overhaul of fixed-penalty notices. The presumption about the current notices can definitely be considered, because lessons have to be learned from what has happened here. I do not want to be here, in this position, today, but I have been reassured by officials that lessons have been learned. I would be happy for officials to write to the committee to explain what procedures and safeguards have been put in place to ensure that this never happens again.

Jamie Hepburn: I am not looking for massive detail, but can we get some sense of what that looks like at this stage and then maybe you can follow up with a bit more detail in writing? Is there a wee bit more information that we can find out just now?

Siobhian Brown: Robert, do you want to speak about what safeguards are in place to ensure that this does not happen again?

Robert Wyllie: I can speak about the broader review that this work is going to be folded into. Officials are undertaking site visits with local authorities and community policing teams to understand how all the powers in the Antisocial Behaviour etc (Scotland) Act 2004 are being used in practice and what works and what does not for the people who are on the ground using them on a day-to-day basis.

On fixed-penalty notices specifically, there will shortly be an initiation meeting to make sure that broader work on changes to the regime has analytical input from the beginning. We have a whole series of big issues of principle that need to be addressed about the regime, including graded penalty levels and the suggestion about the addition of low-level ticket fraud.

There has been no suggestion of removing any offences. If I can offer any further assurance, we will not be looking to return to the question of removing offences from the regime on our own behalf.

Jamie Hepburn: Will the Scottish Government’s legal directorate be more involved? It sounds to me as though the issue is that there has not been enough cross-reference to different forms of legislation.

Siobhian Brown: I note that some of the other proposals for reform to the regime are going to be more complex and will involve questions of principle and different penalty levels. What we have in place changes the statistical and policy side that directly address the cause of this error. The statisticians are reviewing similar clarifications across the bulletins, and policy processes are now included that strengthen verification and cross-checking. With the safeguards that have been put in place since we have been alerted to this, the specific circumstance that led to this mistake should not recur.

Jamie Hepburn: Cross-checking of different items of legislation is—

Siobhian Brown: Yes, that is what I am being told.

Katy Clark: The instrument that we have before us today simply adds an offence where a fixed-penalty notice could be issued, as I understand it, and also increases the levels of fines. I would be minded to support that today.

On the wider issue, including the history and the broader review that has been referred to, many of us were concerned, as has been said, that officials were looking for offences to abolish. The general position is that it is usually helpful to have a range of available offences so that the police and prosecution services have options. It would be helpful if it could be fed back that some of us, at least, do not necessarily expect proposals for abolishing offences.

However, I take on board the wish to review whether the legislative framework works and delivers on the policy objectives. I do not have any questions—I just wanted to put that on the record, so that the minister knows that at least some of us hold that position and that, were the matter to come forward in the next session of Parliament, it might be that others make those points. I hope that that is helpful.

The proposals that are in front of us seem to me to be perfectly acceptable. I am pleased that we

have ended up here and that the minister has brought all this information to the committee.

The Convener: I see that no other members wish to come in. Our next item of business is to consider a motion to approve the affirmative SSI on which we have just taken oral evidence. I remind officials—not that you need reminding—that only MSPs can speak in a debate on a motion.

I invite the minister to move motion S6M-20475, in her name, and to make any brief additional comments that she wishes to make.

Siobhian Brown: I have no further comments.

Motion moved,

That the Criminal Justice Committee recommends that the Antisocial Behaviour (Fixed Penalty Offences) (Miscellaneous Amendment) (Scotland) Order 2026 [draft] be approved—[*Siobhian Brown*].

The Convener: Do any members wish to come in with any final comments?

Sharon Dowey: I will support the SSI, but I should probably return to a point that I raised previously. At our 18 February meeting, I mentioned the possible impacts of raising the fine level. Although I agree with doing so, we must monitor non-payments. The figures that were sent to us show that there were 2,903 non-payments in the previous three years. If we take off the 501 non-payments that relate to the coronavirus pandemic, that still leaves us with 2,402 non-payments, which shows an increasing trend of fines not being paid. With that increase in mind, I want to ensure that the Government monitors unpaid fines to identify whether the measures have an impact.

I reiterate that, when we come to committee, we rely on the fact that the information that we are given is correct before we recommend that SSIs be approved. I hope that officials reflect on that and ensure that the information that they are passing to Government ministers is correct, so that we are not putting things into legislation that we should not be.

The Convener: I invite the minister to wind up and press or withdraw the motion.

Siobhian Brown: I press the motion.

Motion agreed to,

That the Criminal Justice Committee recommends that the Antisocial Behaviour (Fixed Penalty Offences) (Miscellaneous Amendment) (Scotland) Order 2026 [draft] be approved.

The Convener: Are members content to delegate responsibility to me and the clerks to approve a short factual report to the Parliament on the affirmative instrument?

Members *indicated agreement*.

The Convener: Thank you very much. The report will be published shortly.

As this is our last scheduled meeting, I thank the minister and her officials for all their contributions to the committee over the past five years—it is greatly appreciated.

That concludes our business in public. Before we move into private session, I take the opportunity to thank all the members of the committee—my colleagues, past and present—for their excellent work during this session of Parliament and for the very collegiate way in which they have approached the business before us.

I also extend our thanks to our wonderful team of clerks and our wider group of staff who have supported us, including the Scottish Parliament information centre, the official report, broadcasting, the participation and communities team, media teams, security, catering and anyone else whom I might have forgotten.

Finally, I thank all the witnesses who have given evidence to us over the past few years, particularly those for whom it has been challenging to come to talk to us about their experiences, some of which have been serious and traumatic. It has meant a great deal to the committee and has greatly contributed to our work.

For the very last time, before I start to cry, we move into private session—Fulton, I will bring you in first.

Fulton MacGregor: It is probably worth saying that you forgot one person to thank, convener, because it would be pretty difficult for you to do so. I am sure that I speak on behalf of all colleagues and clerks when I thank you for the brilliant way in which you have convened the committee over the past five years.

The Convener: Thank you, Fulton. It has been an absolute pleasure. We now move into private session.

11:00

Meeting continued in private until 11:15.

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