



The Scottish Parliament  
Pàrlamaid na h-Alba

Published 22 May 2025  
SP Paper 790  
4th Report (2025) (Session 6)

## Criminal Justice Committee

# Annual Report of the Criminal Justice Committee 2024-25



**Published in Scotland by the Scottish Parliamentary Corporate Body.**

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# Contents

<b>Introduction</b>	<b>1</b>
<b>Meetings and visits</b>	<b>2</b>
<b>Legislation</b>	<b>4</b>
Bills	4
Victims, Witnesses, and Justice Reform (Scotland) Bill	4
Police (Ethics, Conduct and Scrutiny) (Scotland) Bill	4
Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill	5
Subordinate Legislation	5
Legislative Consent Memoranda	6
<b>Inquiries/case studies</b>	<b>7</b>
Policing vulnerable people	7
Reducing drug deaths in Scotland and tackling problem drug use	7
The impact of Brexit on policing and judicial co-operation: presentation of research	8
Budget Scrutiny	9
Scottish Fire and Rescue Service	9
Scrutiny of officeholders	10
Scottish Biometrics Commissioner Annual Report 2024	10
Police Investigations and Review Commissioner (PIRC) Annual Report 2023/24	10
<b>Equal Opportunities</b>	<b>11</b>
<b>Post legislative scrutiny</b>	<b>12</b>

# Criminal Justice Committee

To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.

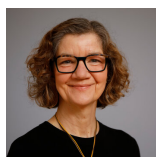


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# Committee Membership



**Convener**  
**Audrey Nicoll**  
Scottish National Party



**Deputy Convener**  
**Liam Kerr**  
Scottish Conservative  
and Unionist Party



**Katy Clark**  
Scottish Labour



**Sharon Dowey**  
Scottish Conservative  
and Unionist Party



**Fulton MacGregor**  
Scottish National Party



**Rona Mackay**  
Scottish National Party



**Ben Macpherson**  
Scottish National Party



**Pauline McNeill**  
Scottish Labour

# Introduction

1. This report outlines the work of the Criminal Justice Committee ("the Committee") during the Parliamentary year from 13 May 2024 to 12 May 2025.
2. During this period, Ben Macpherson MSP joined the Committee on 18 June 2024 (replacing John Swinney MSP who left the Committee in the previous parliamentary year, on 7 May 2024). Liam Kerr MSP also replaced Russell Findlay MSP as a member of the Committee on 10 October 2024.
3. Stephen Kerr MSP joined the Committee as a substitute member on 6 November 2024 (replacing Donald Cameron MSP who left the Committee in the previous parliamentary year, on 9 February 2024). Stuart McMillan MSP also replaced Jackie Dunbar MSP as a substitute member on 18 September 2024.

## Meetings and visits

4. The Committee held 37 meetings over this period. 7 meetings were held entirely in public, 4 meetings were held entirely in private, and 26 meetings were partly in private. Most items taken in private were to consider draft reports or the Committee's work programme.

### Committee work May 2024 to May 2025

Infographic showing key statistics of the Committee's work for 2024 to 2025.



37

Committee meetings



Bills scrutinised



Reports published



SSI's considered

5. Of these meetings, one meeting was held jointly with a selection of members from the Health, Social Care and Sport Committee and the Social Justice and Social Security Committee, for the purposes of scrutinising the efforts to tackle drug deaths and drugs harm.

6. In January 2025, various members of the different committees involved in this work visited the new safer consumption facility in Glasgow (the Thistle Centre) to see how this operates. This is part of a series of visits for MSPs involved in this area of scrutiny.

**The new safer consumption facility in Glasgow (the Thistle Centre)**



# Legislation

## Bills

### Victims, Witnesses, and Justice Reform (Scotland) Bill

7. The Victims, Witnesses, and Justice Reform (Scotland) Bill was introduced into the Scottish Parliament in the previous parliamentary year, and was considered by the Committee at Stage 1. In March and April 2025, the Committee considered the Bill at Stage 2 of the legislative process. This involved line-by-line scrutiny of proposed amendments to this substantial and important Bill.
8. Prior to Stage 2 beginning, the Committee held evidence sessions with key interested parties on the Bill, including organisations representing victims and the legal profession. This aim was to hear their views on the amendments to the Bill being proposed by the Scottish Government. The Committee also took evidence from the Scottish Government. This helped inform the Committee about the Scottish Government's plans ahead of Stage 2 beginning.
9. At Stage 2, the Committee gave detailed scrutiny to the Bill over the course of four committee meetings. A number of significant changes were made to the Bill. Some of these changes responded to issues raised in the Committee's Stage 1 report. The Cabinet Secretary for Justice and Home Affairs also made various commitments to work with committee members to bring forward amendments at Stage 3 of the Bill.
10. The Committee's work at Stage 2 was built on the engagement members had undertaken with [survivors of rape and sexual offences](#), and with the [families of victims of murder and other serious crimes](#). Details of these discussions are available [online](#).

### Police (Ethics, Conduct and Scrutiny) (Scotland) Bill

11. In 2023, the Scottish Parliament introduced the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill. This required the police to have a code of ethics, made changes relating to the handling of police conduct, increased the functions of the Police Investigations and Review Commissioner and introduced an advisory board for the Commissioner.
12. The Bill was scrutinised by the Committee during this parliamentary year, with Members publishing their [Stage 1 report](#) on July 2024. The Committee was content to support the general principles of the Bill and recommended to the Parliament that they be agreed to. However, there were two members of the Committee, Katy Clark MSP and Pauline McNeill MSP, for whom their support at Stage 1 was dependent on the provision of an updated Financial Memorandum at Stage 1.
13. The Bill passed Stage 1 and the Committee then considered amendments at Stage 2 at its meeting on 2 October 2024. The Bill passed Stage 3 on 15 January 2025 and has now received Royal Assent and become an Act of the Scottish

Parliament.

## **Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill**

14. The Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill was introduced on 24 September 2024. Part 1 of the Bill would make permanent certain temporary powers relating to the criminal courts introduced in response to the COVID-19 pandemic. These included provisions on attending court virtually, electronic documents, and national jurisdiction for callings from custody. Part 1 of the Bill also introduced new criminal court procedures, for example permitting pictures of physical evidence to be treated in the same way as the original physical evidence.
15. Part 2 of the Bill would create a process for reviewing deaths which relate to abusive behaviour within relationships. These reviews would look at what lessons can be learnt in relation to a death to try to stop similar things happening again. The Bill also creates an oversight committee and case review panels to undertake and manage the reviews.
16. In January and February 2025, the Committee took evidence on the Bill at Stage 1, and in March 2025 published a Stage 1 report. In its report, the Committee welcomed many of the provisions in the Bill. However, in some areas, the Committee commented on the specific provisions and made recommendations to the Scottish Government to strengthen the proposals. The Committee was content to support the general principles of the Bill.

## **Subordinate Legislation**

17. During the parliamentary year, the Committee considered 15 Scottish Statutory Instruments, 9 of which were negative instruments and 6 were affirmative instruments.
18. The affirmative SSIs were as follows:
  - The International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2024
  - The Early Release of Prisoners and Prescribed Victim Supporters (Scotland) Regulations 2024
  - The Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Extension of Temporary Justice Measures) Regulations 2024
  - The Electronic Monitoring (Use of Devices and Information) (Scotland) Regulations 2025
  - The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2025

- The International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2025

## **Legislative Consent Memoranda**

19. The Committee considered a legislative consent memorandum and a supplementary legislative consent memorandum on the UK Parliament's Criminal Justice Bill.
20. However, the Criminal Justice Bill subsequently fell at dissolution before the UK general election in July 2024. It had not completed its report stage in the House of Commons.

# Inquiries/case studies

## Policing vulnerable people

21. One of the priorities for the Committee has been to improve the way in which Police Scotland is able to police incidents involving vulnerable members of the community.
22. Throughout this parliamentary year, the Committee has kept this issue under review with a view to keeping the pressure on different bodies, such as Police Scotland, the Scottish Police Authority and the Scottish Government to make progress on tackling this key issues.
23. One of the main issues that the Committee has heard in the evidence we have taken is that there are still challenges for police officers after responding to the initial call to incidents involving vulnerable individuals in terms of passing those individuals on to other appropriate services. Officers are often not able to pass on the vulnerable person to another service, such as social work, health care professionals, when their initial duties as police officers to respond to an emergency call has been met.
24. To maintain progress in tackling this issue, the Committee held an evidence session on 8 January 2025 with key stakeholders and the Cabinet Secretary for Justice and Home Affairs focusing on the policing of vulnerable people, with an emphasis on reducing the burden on Police Scotland.
25. The Committee plans to maintain its scrutiny on this matter for the remainder of this parliamentary session with a view to improving the situation as much as it is able to.

## Reducing drug deaths in Scotland and tackling problem drug use

26. As part of a joined-up approach to tackle drug harm, the Criminal Justice Committee, the Health, Social Care and Sport Committee, and Social Justice and Social Security Committee have met jointly since February 2022, to consider the efforts being made to reduce drug deaths. This approach reflects the need to consider aspects of the criminal justice system, as well as health policies and wider social and economic matters such as poverty, unemployment, unstable housing, and family breakdown.
27. Members of the three committees commissioned a People's Panel to consider the question 'What does Scotland need to do differently to reduce drug related harms?'
28. A People's Panel is a form of public engagement, which brings together a randomly selected and broadly representative sample of the population to learn about an issue, discuss it, and make recommendations.
29. People's Panels empower citizens to actively contribute and deliberate on key issues, enhancing Parliament's scrutiny with innovative, informed citizen input and strengthening the Parliament's reputation for delivering inclusive democratic

participation.

30. The Committee's Convener, Audrey Nicoll MSP, attended two of the Panel's meetings to explain the purpose of the cross-committee's work on tackling drug deaths and drug harm and how the Panel's recommendations could inform that work.
31. The Panel members met in October and November 2024 and published its findings on 21 January 2025.
32. Some of the Panel members gave evidence at a cross-committee meeting on 20 February 2025. The Scottish Government agreed, or agreed in principle, to all of the People's Panel's recommendations.
33. On 6 March 2025, there was a cross-committee debate in the Chamber on the People's Panel report. Members expressed support for the Panel's work and welcomed the opportunity to debate its report in the Chamber.
34. This demonstrated the value of commissioning the work of a People's Panel to consider an issue which touches the lives of people throughout Scotland.
35. The People's Panel recommended that there should be an inquiry by a committee in the Parliament on the reported increase of supply of illegal drugs in the prison sector.

### Meeting of the People's Panel



36. The Committee agreed to hold such an inquiry at its meeting on 23 April 2025 and arrangements are now being made to launch this inquiry shortly.

## The impact of Brexit on policing and judicial co-operation: presentation of research

37. As part of its efforts to scrutinise what impact the UK's exit from the EU has had on policing and judicial co-operation between Scotland and the EU, the Committee

commissioned two academics to [undertake research](#) on this topic as part of the Scottish Parliament Academic Fellowship.

38. Gemma Davies, Associate Professor of Criminal Law at Durham University, and Helena Farrand Carrapico, Professor of International Relations and European Politics at Northumbria University, undertook this research work for the Committee between March 2023 and January 2024.
39. Their [independent report](#) was published in September 2024 and was followed by a presentation and oral evidence session to the Committee on their main findings on 30 April 2025.

## **Budget Scrutiny**

40. The Committee undertook pre-budget scrutiny in advance of the Scottish Government's 2025-26 budget. The key focus was on the financial pressures facing organisations in the criminal justice sector and the main priorities for 2025-26. Of particular interest to the Committee was the pressure on capital budgets and investment in policing, the fire and rescue services, prisons, courts, community justice, criminal social work and the third sector.
41. The Committee undertook this work across 5 meetings in the autumn of 2024, and was grateful to receive 12 written submissions from various organisations.
42. The Committee published its recommendations in a [letter](#) to the Cabinet Secretary for Justice and Home Affairs on 25 November 2024. The Scottish Government [responded](#) to the Committee on 4 December.

## **Scottish Fire and Rescue Service**

43. In September 2024, the Committee reviewed the current challenges facing the Scottish Fire and Rescue Service (SFRS) and its planned reforms. This followed evidence submitted by the Fire Brigades Union (FBU).
44. The Committee took [evidence](#) from both the FBU and the SFRS, which then fed into the Committee's budget scrutiny for 2025/26, see above.
45. The issues raised included:
  - Planned reform of the service
  - Pay and conditions
  - Job roles: current and future
  - Provision of dignified changing facilities and decontamination rooms
  - Provision of equipment and appliances

## Scrutiny of officeholders

46. One of the responsibilities of most parliamentary committees is to scrutinise the work of officeholders (often known as commissioners) established by legislation which are accountable to the Scottish Parliament or whose work is of interest to the committee.
47. The following sections of our annual report set out our efforts to scrutinise two such bodies, namely the Scottish Biometrics Commissioner and the Police, Investigations and Review Commissioner.

### Scottish Biometrics Commissioner Annual Report 2024

48. Each year the Scottish Biometrics Commissioner provides its annual report to the Scottish Parliament. On 13 November 2024 the Committee held an evidence session with the Scottish Biometrics Commissioner, Dr Brian Plastow. The Committee considered the annual report from the Commissioner which detailed their activities and accounts for 2024.

### Police Investigations and Review Commissioner (PIRC) Annual Report 2023/24

49. The PIRC is not directly accountable to the Scottish Parliament in the same way as other commissioners. Nevertheless, its work is of relevant to the remit of the Committee. The Commissioner is appointed by, and is accountable to, the Scottish Ministers and is entirely independent of the police.
50. The Committee does have an interest in the work of the PIRC. Therefore, on 15 January 2025, the Committee held an oral evidence session with the PIRC to consider its annual report 2023/24.

# Equal Opportunities

51. The Committee's main area of interest in relation to its work and equal opportunities has been its focus on the consideration of the ways to improve the way that rape and serious sexual offence cases are handled in court and also the treatment of victims and survivors through its scrutiny of the relevant bills. Details of our work in these areas are set out elsewhere in this Annual Report.

## Post legislative scrutiny

52. The Committee did not conduct any post-legislative scrutiny inquiries in this parliamentary year due to competing business.

