

Justice Committee

EU priorities and other EU issues

Letter from the Convener to the Cabinet Secretary for Justice

At its meeting on 23 October, the Justice Committee considered developments in relation to its EU priorities and other EU issues. The Committee agreed to write to you seeking an update on a number of issues outlined below.

Compensation of crime victims

In correspondence dated April 2012, the Cabinet Secretary for Justice indicated that it was reviewing the possible implications for Scotland as negotiations progress on the EU initiative in relation to compensation of crime victims and that “if further legislation is required, this is likely to be contained in a Victims and Witnesses Bill”. **The Committee would therefore welcome a further update on whether the Scottish Government’s forthcoming Victims and Witnesses Bill will contain any provisions arising from the EU initiative on compensation of crime victims.**

Alternative dispute resolution for business to business disputes

In January 2012, the Committee considered an EU initiative on alternative dispute resolution on consumer disputes, which raised possible subsidiarity concerns. **The Committee seeks clarification from the Scottish Government as to whether it is content that this latest ADR proposal (on business to business disputes) will be compliant with the principle of subsidiarity.**

Jurisdiction, recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility

The Committee notes that Regulation (EC) No. 2201/2003 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility requires the European Commission to assess its application every five years and that the next review is taking place in 2012. **The Committee would welcome an update on the outcome of the review of Regulation (EC) No. 2201/2003 and an indication of whether there is likely to be any effect on domestic law.**

Pre-Lisbon police and criminal justice measures

The Committee is aware that the Home Secretary, Theresa May MP, announced in a statement to the House of Commons on 15 October, that “the Government’s current thinking is that we will opt out of all pre-Lisbon police and criminal justice measures and then negotiated with the Commission and Member States to opt back into those individual measures which are in the national interest to rejoin”. **The Committee seeks the Scottish Government’s views on this announcement and clarification as to the level of consultation that took place between the UK and Scottish governments in advance of the announcement.**

The Committee would welcome a response to the issues above by 28 November.

Christine Grahame MSP
Convener, Justice Committee
24 October 2012