



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### AGENDA

**13th Meeting, 2013 (Session 4)**

**Tuesday 30 April 2013**

The Committee will meet at 10.00 am in Committee Room 1.

1. **Decision on taking business in private:** The Committee will decide whether to take item 3 in private.
2. **Victims and Witnesses (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Alison Todd, Children and Families Service Director, Children 1st;

Tam Baillie, Commissioner, Scotland's Commissioner for Children and Young People;

and then from—

Chief Superintendent David O'Connor, President, and Chief Superintendent Craig Suttie, Association of Scottish Police Superintendents;

David Ross, Vice Chairman, Scottish Police Federation.

3. **Public Bodies Consent:** The Committee will consider a Scottish Government memorandum relating to the Public Bodies (Abolition of the Administrative Justice and Tribunals Council) Order 2013.

Irene Fleming  
Clerk to the Justice Committee  
Room T2.60  
The Scottish Parliament  
Edinburgh  
Tel: 0131 348 5195  
Email: [irene.fleming@scottish.parliament.uk](mailto:irene.fleming@scottish.parliament.uk)

The papers for this meeting are as follows—

**Agenda item 2**

SPICe briefing (private paper)

J/S4/13/13/1 (P)

[Copy of the Bill, accompanying documents and SPICe briefing](#)

[Written submissions received on the Bill](#)

**Agenda item 3**

Paper by the clerk (private paper)

J/S4/13/13/2 (P)

**Papers for information**

Letter from the Scottish Government on the Scottish Police Authority (Provision of Goods and Services) Order 2013 (SSI 2013/73)

J/S4/13/13/3

Committee witnesses - advice (private paper)

J/S4/13/13/4 (P)

**Justice Committee**

**13<sup>th</sup> Meeting, 2013 (Session 4), Tuesday, 30 April 2013**

**Letter from the Scottish Government to the Convener**

**Scottish Police Authority (Provision of Goods and Services) Order 2013  
(SSI 2013/73)**

Thank you for your letter dated 26 March 2013 following the Justice Committee's consideration of the Scottish Police Authority (Provision of Goods and Services) Order 2013 ("the Order"). I write to give my response to the issues raised during the Committee's consideration.

During the consideration of the Justice Committee on the 26<sup>th</sup> March 2013, a concern was raised by Jenny Marra that the Order could open up the possibility of 'back door privatisation'. During the evidence sessions for the Police and Fire Reform (Scotland) Bill on 27 March 2012, I gave an absolute assurance that the privatisation scenario that seemed to be being looked at in England would not, and never will be, considered by the Scottish Government.

The Police and Fire Reform (Scotland) Act 2012 ("the 2012 Act") established the Scottish Police Authority (SPA) as a public body. The Act also provided the SPA and the Police Service of Scotland with the power to provide goods and services to any other public body or office holder and any types of goods and services to any types of persons as may be specified by an order of the Scottish Ministers. The Order provides a list of the types of good, services and persons to whom the SPA and Police Service of Scotland can provide goods and services and subsequently charge for the provision thereof (for example vehicle maintenance, ICT and training).

Neither the Order nor the 2012 Act is concerned with the outsourcing of specific roles or tasks whereby the SPA is charged for goods and services by a third party.

Furthermore, Graeme Pearson raised the issue of the risk of 'inadvertent policy creep' due to the apparent vagueness of the types of persons and services specified, particularly in relation to forensic services. Again I refer you to the assurances I gave to the Committee on 27 March 2012. The types of persons and services specified in the schedules to the Order deliberately cover the categories required to ensure that the contracts for goods and services that were in place on 31 March 2013 could be honoured from 1 April 2013 onwards.

Kenny MacAskill  
Cabinet Secretary for Justice  
24 April 2013