



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

**22nd Meeting, 2013 (Session 4)**

**Tuesday 3 September 2013**

Present:

Roderick Campbell	John Finnie
Christine Grahame (Convener)	Colin Keir
John Lamont (Committee Substitute)	Alison McInnes
Graeme Pearson	Sandra White

Also present: Elaine Murray

Apologies were received from Jenny Marra.

The meeting opened at 10.00 am.

**1. European Union legislative proposals:** The Committee took evidence on—

a Proposal for a Council Regulation of the European Parliament and of the Council on the establishment of the European Public Prosecutor's Office (EPPO) (12558/13); and

a Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Criminal Justice Co-operation (Eurojust) (12566/13), which may raise questions in relation to subsidiarity;

from—

Kenny MacAskill, Cabinet Secretary for Justice;

Kevin Philpott, Senior Policy Officer, Criminal Procedure Policy Unit;

David Dickson, International Co-operation Unit, Crown Office and Procurator Fiscal Service.

The Committee agreed that the proposal to establish a European Public

Prosecutor's Office does not comply with the subsidiarity principle. The Committee also agreed to write to the relevant committees of the House of Lords and the House of Commons highlighting concerns that the proposal for Criminal Justice Co-operation may breach the subsidiarity principle.

2. **Tribunals (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

May Dunsmuir, Convener, Additional Support Needs Tribunal for Scotland;

Heather Baillie, In-house Convener, Mental Health Tribunal for Scotland;

John Wright QC, Member, Lands Tribunal for Scotland;

Alastair Beattie, Convener, Scottish Valuation Appeal Committee Forum;

Katie James, Advocard;

Jon Shaw, Welfare Rights Worker, Child Poverty Action Group in Scotland;

Lauren Wood, Policy Officer, Citizens Advice Scotland;

Iain Nisbet, Head of Education Law, Govan Law Centre.

Roderick Campbell indicated that he is a member of the Faculty of Advocates.

3. **European Union issues** The Committee considered the latest developments in relation to a number EU issues.

The Committee agreed to note developments in relation to the UK Government's 2014 opt out decision and to continue to monitor developments, including the House of Lords inquiry.

The Committee also agreed to further consider:

- a) special safeguards in criminal procedures for suspected or accused persons who are vulnerable; and
- b) the transmission and serving of legal documents in other Member States;

once full details of the proposals become available.

The meeting closed at 12.00 pm.

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