



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

34th Meeting, 2013 (Session 4)

Tuesday 26 November 2013

Present:

Christian Allard

John Finnie

Alison McInnes

Elaine Murray (Deputy Convener)

Sandra White

Roderick Campbell

Christine Grahame (Convener)

Margaret Mitchell

John Pentland

The meeting opened at 10.00 am.

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

Robin White, Vice-Chair, Scottish Justices' Association;

Raymond McMenamin, Solicitor Advocate, member of the Criminal Law Committee, Law Society of Scotland;

James Wolffe QC, Vice-Dean, Faculty of Advocates;

Mark Harrower, President, Edinburgh Bar Association.

Roderick Campbell indicated that he is a member of the Faculty of Advocates. Alison McInnes indicated that she is a member of the JUSTICE Scotland Council.

2. **Anti-social Behaviour, Crime and Policing Bill (UK Parliament legislation):** The Committee took evidence on supplementary legislative consent memorandum LCM(S4) 22.2 from—

Catriona Dalrymple, Head of Policy Division, Crown Office and Procurator Fiscal Service;

Detective Chief Superintendent Gillian Imery, Police Scotland;

Mridul Wadhwa, Information and Education Officer and Children and Young People's Services Supervisor, Shakti Women's Aid;

Lily Greenan, Manager, Scottish Women's Aid.

3. **Subordinate legislation:** The Committee considered the following negative instruments—

Title Conditions (Scotland) Act 2003 (Conservation Bodies) Amendment Order 2013 (SSI 2013/289);

Act of Sederunt (Commissary Business) (SSI 2013/291);

Drugs Courts (Scotland) Amendment Order 2013 (SSI 2013/302).

The Committee agreed to make no recommendations in relation to the first two instruments. In relation to SSI 2013/302, the Committee raised a number of concerns and agreed to report to the Parliament.

4. **Subordinate legislation:** The Committee considered and noted the following instrument which was not subject to any parliamentary procedure—

Act of Sederunt (Rules of the Court of Session Amendment No. 6) (Miscellaneous) 2013 (SSI 2013/294).

The Committee endorsed the Delegated Powers and Law Reform Committee's comments on the instrument.

5. **Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012:** The Committee considered responses received and agreed: (a) (by division: For 4, Against 4, Abstentions 0; proposal agreed to on casting vote) to take further action at this stage on the operation of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012; and (b) (by division: For 5, Against 4, Abstentions 0) to invite the Minister for Community Safety and Legal Affairs to give evidence on the operation of the Act.

The meeting closed at 1.23 pm.

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