



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

**17th Meeting, 2014 (Session 4)**

**Tuesday 3 June 2014**

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. **Decision on taking business in private:** The Committee agreed to take item 5 in private.
2. **Review of expenses and funding of civil litigation in Scotland:** The Committee took evidence on the Scottish Government's response to Sheriff Principal Taylor's review from—

Roseanna Cunningham, Minister for Community Safety and Legal Affairs, Stella Smith, Civil Law and Legal System Division, and Kay McCorquodale, Civil Law and Legal System Division, Scottish Government.

The Minister indicated that she is a non-practising member of the Faculty of Advocates. Roderick Campbell indicated that he is a member of the Faculty of Advocates

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

Adults with Incapacity (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Amendment Regulations 2014 (SSI 2014/123);

Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Amendment Order 2014 (SSI 2014/130).

The Committee agreed to make no recommendations in relation to the instruments.

4. **Public petitions:** The Committee considered the following petitions and agreed in relation to—

PE1370 by Dr Jim Swire, Professor Robert Black QC, Robert Forrester, Father Patrick Keegans and Iain McKie on Justice for Megrahi: to keep the petition open and to keep matters under review;

PE1449 by Dr John Wallace Hinton on behalf of Accountability Scotland on the Scottish Committee of the Administrative Justice and Tribunals Council: to write to Accountability Scotland and the Scottish Administrative Justice Council Advisory Committee seeking information on a number of issues, and to keep the petition open;

PE1479 by Andrew Muir on complaints about solicitors: to write to the petitioner informing him of the Scottish Legal Complaints Commission's (SLCC) decision to consult stakeholders on a proposal to extend the time bar policy and to write to the SLCC encouraging it to consult the petitioner on this proposal, and to keep the petition open;

PE1504 by Kathie Mclean-Toremor on party litigants - civil appeals to the Supreme Court: to write again to the petitioner seeking clarification regarding the general public interest of her case and the precise reasoning she was given by solicitors for not representing her, and to keep the petition open.

In relation to PE1370, Christine Grahame indicated that she is a member of the Justice for Megrahi campaign.

5. **Work programme:** The Committee considered its work programme and agreed to: (a) postpone consideration of proposals to end the automatic early release of certain categories of prisoner in light of confirmation from the Cabinet Secretary for Justice that the Scottish Government intends to bring forward a Bill implementing the provisions; (b) hold a one-off round-table evidence session in August on brain injury and the criminal justice system, including (i) a list of potential participants; (ii) questions to ask participants in advance of the session; and (iii) to delegate to the Convener responsibility for any changes in participants and for arranging for the SPCB to pay, under Rule 12.4.3, any expenses of witnesses from the session; (c) write to Dame Elish Angiolini, the Scottish Prison Service, and the Howard League for Penal Reform in Scotland seeking information in light of reports that some of the recommendations of the Commission on Women Offenders might not be met; and (d) invite COSLA, Police Scotland and the Scottish Environment Protection Agency to give evidence at a future meeting on environmental crime and its connections to serious organised crime and money laundering; (e) consider whether to take any action in relation to proceeds of crime legislation following the forthcoming debate on the issue.

The meeting closed at 11.47 am.

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)