



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

19th Meeting, 2012 (Session 4)

Tuesday 29 May 2012

Present:

Roderick Campbell	John Finnie
Christine Grahame (Convener)	Colin Keir
Jenny Marra (Deputy Convener)	Alison McInnes
Margaret Mitchell (Committee Substitute)	Graeme Pearson
Humza Yousaf	

Also present: John Lamont and Lewis Macdonald.

Apologies were received from David McLetchie.

The meeting opened at 10.00 am.

1. **Decision on taking business in private:** The Committee agreed to take item 8 in private.
2. **Declaration of interests:** Margaret Mitchell was invited to declare any relevant interests. Margaret Mitchell indicated that she had no interests to declare.
3. **Police and Fire Reform (Scotland) Bill:** The Committee considered the Bill at Stage 2 (Day 1).

The following amendments were agreed to (without division): 165, 1, 2, 3, 4, 5, 6, 167, 168, 7, 8, 169, 10, 12, 14, 15, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 170, 194, 195, 197, 198, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52.

The following amendments were agreed to (by division)—

- 9 (For 7, Against 2, Abstentions 0)
- 11 (For 7, Against 2, Abstentions 0)
- 13 (For 7, Against 2, Abstentions 0)
- 16 (For 7, Against 2, Abstentions 0)

- 17 (For 7, Against 2, Abstentions 0)
- 18 (For 7, Against 2, Abstentions 0)
- 20 (For 7, Against 2, Abstentions 0).

The following amendments were disagreed to (by division)—

- 1A (For 4, Against 5, Abstentions 0)
- 1B (For 3, Against 6, Abstentions 0)
- 1C (For 4, Against 5, Abstentions 0)
- 1D (For 4, Against 5, Abstentions 0)
- 178 (For 3, Against 6, Abstentions 0)
- 179 (For 4, Against 5, Abstentions 0)
- 180 (For 3, Against 6, Abstentions 0)
- 181 (For 4, Against 5, Abstentions 0)
- 182 (For 3, Against 6, Abstentions 0)
- 183 (For 3, Against 6, Abstentions 0)
- 185 (For 3, Against 6, Abstentions 0)
- 186 (For 4, Against 5, Abstentions 0)
- 187 (For 4, Against 5, Abstentions 0)
- 188 (For 4, Against 5, Abstentions 0)
- 189 (For 3, Against 6, Abstentions 0)
- 190 (For 3, Against 6, Abstentions 0)
- 191 (For 2, Against 7, Abstentions 0)
- 192 (For 4, Against 5, Abstentions 0)
- 166 (For 2, Against 7, Abstentions 0)
- 193 (For 4, Against 5, Abstentions 0)
- 196 (For 3, Against 6, Abstentions 0)
- 199 (For 3, Against 6, Abstentions 0)
- 171 (For 2, Against 7, Abstentions 0)
- 200 (For 3, Against 6, Abstentions 0)
- 172 (For 4, Against 5, Abstentions 0)
- 201 (For 4, Against 5, Abstentions 0)
- 202 (For 4, Against 5, Abstentions 0).

Amendment 177 was moved and, under Rule 9.10.15, withdrawn.

Amendment 184 was not moved.

The following provisions were agreed to without amendment: sections 2, 3, 5, 7, 8, 9, 12, 13, 16, 20, 21, 23, 24, 25 and 27, schedule 2 and sections 29, 30, 32, 42, 43 and 44.

The following provisions were agreed to as amended: section 1, schedule 1 and sections 4, 6, 10, 11, 14, 15, 17, 18, 19, 22, 26, 28, 31, 33, 34, 35, 37, 38, 39, 40 and 41.

John Finnie, Roderick Campbell and Jenny Marra declared, in relation to amendment 168, that they are members of Amnesty International.

The Committee ended consideration of the Bill for the day, section 44 having been agreed to.

4. **Subordinate legislation:** The Committee took evidence on the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Office or Body as Specified Authority) Order 2012 [draft] from—

Kenny MacAskill, Cabinet Secretary for Justice.

5. **Subordinate legislation:** Kenny MacAskill (Cabinet Secretary for Justice) moved—

S4M-3045—That the Justice Committee recommends that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Office or Body as Specified Authority) Order 2012 [draft] be approved.

The motion was agreed to without debate or dissent. The Committee agreed to delegate to the Convener authority to agree the final wording of the report to the Parliament on the instrument.

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

Act of Sederunt (Actions for removing from heritable property) 2012 (SSI 2012/136).

7. **Annual report:** The Committee considered a draft annual report for the parliamentary year from 11 May 2011 to 10 May 2012. Various changes were proposed and the Committee delegated to the Convener authority to agree the final report to the Parliament.

8. **Crime and Courts Bill (UK Parliament legislation) (in private):** The Committee considered its approach to the legislative consent memorandum lodged by the Cabinet Secretary for Justice (LCM(S4)11.1) and agreed (1) to take evidence from the Cabinet Secretary for Justice at a future meeting; (2) to seek written evidence from particular stakeholders; and (3) to ask SPICe to provide a briefing on the LCM.

The meeting closed at 1.14 pm.

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