



The Scottish Parliament  
Pàrlamaid na h-Alba

**JUSTICE COMMITTEE**

**AGENDA**

**2nd Meeting, 2019 (Session 5)**

**Tuesday 15 January 2019**

The Committee will meet at 11.30 am in the Mary Fairfax Somerville Room (CR2).

1. **Management of Offenders (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Humza Yousaf, Cabinet Secretary for Justice, Graham Robertson, Bill Team Leader, Community Justice Division, Sandra Wallace, Parole Policy Team Leader, Community Justice Division, Stephen Jackson, Solicitor, Directorate for Legal Services, and Craig McGuffie, Solicitor, Directorate for Legal Services, Scottish Government.

2. **Management of Offenders (Scotland) Bill (in private):** The Committee will review the evidence received on the Bill in order to inform the drafting of its Stage 1 report.

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The papers for this meeting are as follows—

**Agenda item 1**

Paper by the clerk - Management of Offenders (Scotland) Bill	J/S5/19/2/1
Private paper - Management of Offenders (Scotland) Bill	J/S5/19/2/2 (P)

**Justice Committee**

**2<sup>nd</sup> Meeting, 2019 (Session 5), Tuesday 15 January 2019**

**Management of Offenders (Scotland) Bill**

**Note by the clerk**

**Introduction**

1. The [Management of Offenders \(Scotland\) Bill](#) was introduced on 22 February 2018. It is a Scottish Government Bill. The Bill makes provision in three discrete areas, linked by a common theme of the management of offenders:
  - electronic monitoring of offenders: drawing together various legal provisions on monitoring into a single source and making some updates to the law including extending the potential for monitoring;
  - disclosure of convictions: making substantial amendment to the Rehabilitation of Offenders Act 1974, the general approach being to reduce the requirement to disclose convictions (for instance by, in general, shortening the period during which a prior conviction must be disclosed);
  - Parole Board for Scotland: a small number of reforms concerning the membership and administration of the Board.
2. A SPICe briefing on the Bill can be accessed [here](#).
3. The Committee launched a [call for views](#) on the Bill on 16 March 2018. The deadline for responses was 20 April 2018. All written submissions received and accepted as evidence are published on the Committee's [webpage](#).

**Justice Committee consideration**

4. At its meeting on [24 April 2018](#), the Committee took evidence from the Scottish Government Bill Team (the group of officials responsible for assisting the Cabinet Secretary for Justice in formulating the policy and drafting of the Bill and in steering it through the Parliamentary process).
5. At its meeting on [8 May 2018](#), the Committee took evidence from two panels of witnesses. The first panel comprised representatives of Community Justice Scotland and Social Work Scotland. The second panel comprised representatives of Families Outside, Positive Prison? Positive Futures, Scottish Women's Aid and Victim Support Scotland.
6. At its meeting on [15 May 2018](#), the Committee took evidence from representatives of the Edinburgh Bar Association, Howard League Scotland, the Law Society of Scotland and the Scottish Centre for Crime and Justice Research, as well as Liz Dougan, Partner, Brazenall and Orr Solicitors.

7. At its meeting on [22 May 2018](#), the Committee heard from representatives of the Scottish Courts and Tribunals Service, Police Scotland, the then HM Chief Inspector of Prisons Scotland, followed then by the Parole Board.
8. At its meeting on [5 June 2018](#), the Committee took evidence from Rt Hon Lord Turnbull, Scottish Sentencing Council, and also then from Michael Matheson, then Cabinet Secretary for Justice, Scottish Government.

### **Independent reviews into the murder of Mr Craig McClelland**

9. On 6 June 2018, the then Cabinet Secretary for Justice, Michael Matheson, announced that he had ordered two independent reviews into Home Detention Curfews (HDCs) by HMICS and HMIPS following the murder of Mr Craig McClelland of Paisley in July 2017 by Mr James Wright whilst the latter was unlawfully at large during his release from prison on a Home Detention Curfew.
10. When these reviews were announced, the Justice Committee agreed to postpone further consideration of the Management of Offenders (Scotland) Bill, pending publication of the reports. Additionally, the deadline for stage 1 of the Bill was extended to 19 December 2018.
11. [HMIPS](#) and [HMICS](#) have now produced their reports and the current Cabinet Secretary for the Justice, Humza Yousaf, made a [statement](#) in the Chamber on 25 October.
12. At its meeting of [20 November](#), the Committee re-commenced its consideration of the Management of Offenders (Scotland) Bill at stage 1 with a focus on HDCs and issues more generally around breaches of electronic monitoring, risk assessment, roles and responsibilities of different organisations etc. It took evidence from representatives of HM Inspectorate of Constabulary in Scotland, HM Inspectorate of Prisons for Scotland, Police Scotland and the Scottish Prisons Service.
13. At its meeting on [18 December](#), the Committee took evidence from representatives of The Parole Board in Scotland, Social Work Scotland, Risk Management Authority and the Royal College of Psychiatrists.

### **Today's meeting**

14. During today's meeting, the Justice Committee will take evidence from the Cabinet Secretary for Justice and his officials. This is set to conclude evidence-taking on this Bill. The deadline for Stage 1 is currently 1 February 2019, but this may change in the near future, subject to the approval of the Parliament.