



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### AGENDA

#### 31st Meeting, 2020 (Session 5)

Tuesday 1 December 2020

The Committee will meet at 10.00 am in a virtual meeting and be broadcast on [www.scottishparliament.tv](http://www.scottishparliament.tv).

1. **Declaration of interests:** Rhoda Grant will be invited to declare any relevant interests.
2. **Justice Sub-Committee on Policing:** The Committee will consider a proposal for a new member.
3. **Subordinate legislation:** The Committee will take evidence on the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 [draft] from—

Ash Denham, Minister for Community Safety, Simon Stockwell, Policy Officer, Family Law, Claire Martin, Policy Officer, Family Law, Kieran Burke, Policy Officer, Civil Law, and Emma Thomson, Solicitor, Scottish Government Legal Directorate, Scottish Government.

4. **Subordinate legislation:** Ash Denham (Minister for Community Safety) to move—

S5M-23183—That the Justice Committee recommends that the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 [draft] be approved.

5. **Subordinate legislation:** The Committee will consider the following negative instrument—

Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (SSI 2020/339)

6. **Justice Sub-Committee on Policing:** The Committee will consider a report back from the Sub-Committee meeting held on 23 November 2020.

7. **Hate Crime and Public Order (Scotland) Bill (in private):** The Committee will consider a draft Stage 1 report.

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The papers for this meeting are as follows—

**Agenda item 2**

Note by the Clerk

J/S5/20/31/1

**Agenda item 3**

Note by the Clerk

J/S5/20/31/2

**Agenda item 5**

Note by the Clerk

J/S5/20/31/3

**Agenda item 6**

Note by the Clerk

J/S5/20/31/4

**Agenda item 7**

PRIVATE PAPER - TO FOLLOW

J/S5/20/31/5 (P)

## **Justice Committee**

**31<sup>st</sup> Meeting, 2020 (Session 5), Tuesday 1 December 2020**

### **Justice Sub-Committee on Policing - membership**

#### **Introduction**

1. At the start of this parliamentary session, the Justice Committee established the Justice Sub-Committee on Policing, the membership of which was recommended by the Committee to the Parliamentary Bureau and agreed by the Parliament.
2. On 25 November 2020, James Kelly MSP resigned as the Scottish Labour Party member of the Committee. He also resigned as a member of the Sub-Committee.
3. On 26 November 2020, the Parliament appointed Rhoda Grant MSP to replace James Kelly MSP on the Committee.
4. Standing Order Rules 12.5.3 and 12.5.4 state:

The membership of any sub-committee shall be determined by the Parliament on a motion of the Parliamentary Bureau. The membership of a sub-committee of a committee shall be proposed by that committee to the Parliamentary Bureau. Normally only members of the committee (other than committee substitutes) may be members of a sub-committee of that committee but, if the committee so decides, members of other committees may be appointed as members of a sub-committee.

In considering the membership of a sub-committee, the committee shall have regard to the balance of political parties in the Parliament.

#### **Action**

5. Members of the Justice Committee are invited to discuss the recent resignation and decide who they wish to propose to the Parliamentary Bureau as a replacement for James Kelly MSP as a Member of the Sub-Committee.
6. Once agreed, the Convener will write to the Parliamentary Bureau accordingly.

**Justice Clerks**  
**26 November 2020**

## Justice Committee

31st Meeting, 2020 (Session 5), Tuesday 1 December 2020

### Subordinate legislation

#### Note by the clerk

#### Purpose

1. This paper invites the Committee to consider the following affirmative instrument:

- [Civil and Family Justice \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \[draft\]](#)

#### Introduction

2. These Regulations are made under paragraphs 1(1) and (3) and 11G(1) of schedule 2, and paragraph 21(b) of schedule 7, of the European Union (Withdrawal) Act 2018 (“the 2018 Act”) to address failures of retained EU law to operate effectively and other deficiencies in retained EU law (in particular to address reciprocal arrangements which no longer exist and are no longer appropriate and EU references which are no longer appropriate) arising from the withdrawal of the UK from the European Union.

3. The Regulations amend a number of pieces of primary and secondary Scottish legislation relating to EU law requirements on mediation, legal aid, recognition of civil status documents (such as birth certificates), ability to practice as a lawyer, and cross-border family law disputes.

4. A number of the changes implement provisions of the Withdrawal Agreement, which makes provision in respect of ongoing judicial cooperation in civil and commercial matters relating to certain EU measures. Some of the changes reflect the fact that reciprocity with EU Member States is no longer in place once the implementation period comes to an end.

5. Further details on the purpose of the instrument can be found in the policy note attached in **Annexe A**.

#### Delegated Powers and Law Reform Committee Consideration

6. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on 10 November 2020 under the [SSI Protocol](#) agreed between the Scottish Government and the Scottish Parliament in respect of SSIs made using the powers under the European Union (Withdrawal) Act 2018.

7. The instrument has been categorised by the Scottish Government as of low significance under the SSI Protocol on the basis that the amendments made by the instrument are “predominantly concerned with technical detail including amendments

to primary legislation to ensure the law operates after IP completion day. There is no significant policy choice involved.”

8. The DPLR Committee considers the low categorisation as insufficient, particularly in light of the revocation of the Multilingual Standard Forms (Fees) (Scotland) Regulations 2018. The 2018 Regulations make provision to allow National Records of Scotland to charge a fee of £10 for issuing multilingual standard forms to be attached to civil status documents for presentation in EU Member States. The Business and Regulatory Impact Assessment prepared for the instrument suggests the costs for translation are likely to be between £50 and £60, in comparison to the current £10 fee.

9. The DPLR Committee recommended that the instrument should be categorised as medium in terms of its significance under the SSI protocol.

10. In relation to its standard technical scrutiny of the instrument, the DPLR Committee agreed that it did not need to draw it to the attention of the Parliament on any grounds within its remit.

11. The relevant extract from the [Delegated Powers and Law Reform Committee's report](#) is attached in **Annexe B**.

### **Justice Committee Consideration**

12. The Committee is required to report to the Parliament on the instrument by 6 December 2020.

13. Motion S5M-23183 has been lodged proposing that the Committee recommends approval of the instrument. The Minister for Community is due to attend the meeting on 1 December to answer any questions on the instrument and to move the motion for approval.

14. It is for the Committee to decide whether or not to agree to the motion, and then to report to the Parliament. Thereafter, the Parliament will be invited to approve the instrument.

**15. The Committee is asked to delegate to the Convener authority to approve the report on the instrument for publication.**

**Justice Clerks  
26 November 2020**

**POLICY NOTE****THE CIVIL AND FAMILY JUSTICE (EU EXIT) (SCOTLAND) (AMENDMENT ETC.)  
REGULATIONS 2020****SSI 2020/XXX**

The above instrument was made in exercise of the powers conferred by paragraph 1(1) and (3) and 11G(1) of Schedule 2 and paragraph 21(b) of Schedule 7 of the European Union (Withdrawal) Act 2018 (“the 2018 Act”) and sections 12 and 14 of, and paragraph 12 of Schedule 4 to, the European Union (Withdrawal Agreement) Act 2020 (“the 2020 Act”). The instrument is subject to the affirmative procedure.

**Purpose of the instrument.**

The purpose of the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (“the 2020 Regulations”) is to address deficiencies of retained EU Law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union and to make changes in relation to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the Atomic Energy Community (“the withdrawal agreement”), the EEA EFTA separation agreement and the Swiss citizens’ rights agreement.

**Policy Objectives**

The 2020 Regulations are a composite instrument that will adjust aspects of civil law in order to address deficiencies of retained EU Law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union. It addresses reciprocal arrangements which no longer exist and EU references which are no longer appropriate. It makes transitional provision in respect of matters and procedures begun but not completed before the end of the implementation period and reflects Title VI of Part 3 of the withdrawal agreement.<sup>1</sup>

Title VI of Part 3 of the withdrawal agreement makes provision in respect of ongoing judicial cooperation in civil and commercial matters relating to certain EU measures. Generally, it preserves the application of particular EU measures in respect of any matters or procedures begun but not completed before the end of the implementation period. These Regulations therefore make necessary transitional provisions for such matters and procedures.

The areas covered by the Regulations are varied including provisions on mediation, civil status documents, legal services, legal aid and transitional matters. In particular:

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<sup>1</sup> Title 6 of Part 3 of the withdrawal agreement

<https://www.legislation.gov.uk/eut/withdrawal-agreement/part/three/title/vi/adopted>

- Part 2 makes provision to revoke Scottish legislation which implemented EU Directive 2008/52/EC<sup>2</sup> on cross-border mediation in civil and commercial matters and reflects the withdrawal agreement.
- Part 3 makes provision to revoke Scottish legislation which implemented EU Directive 2003/8/EC<sup>3</sup> of the European Council on improving access to justice in cross-border disputes by establishing minimum common rules relating to legal aid and makes transitional provision.
- Part 4 revokes the Multilingual Standard Forms (Fees) Regulations 2018<sup>4</sup> on fees which can be charged by National Records of Scotland (NRS) for multilingual translation aids issued under EU Regulation 2016/1191<sup>5</sup> on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union.
- Part 5 makes a number of changes to the Services of Lawyers and Lawyer's Practice (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 ("the 2019 Regulations")<sup>6</sup> which end the preferential practising rights of EU and EFTA lawyers in Scotland and provides for a range of rights for Swiss nationals or others who are professionally recognised in Switzerland and who have Swiss legal qualifications to practice in Scotland under certain conditions and reflects the withdrawal agreement. In addition, references to "exit day" are updated to "IP completion day". That instrument is to come into force on IP [Implementation Period] completion day and, as such, the amending provisions of this instrument require to come into force immediately before IP completion day to ensure the law is clear following IP completion day.
- Part 6 amends the Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 ("the 2019 Family Regulations")<sup>7</sup> on family law to reflect the terms of the withdrawal agreement on transitional provisions. That instrument is to come into force on IP completion day and as such, the amending provisions of this instrument require to come into force immediately before IP completion day to ensure the law is clear following IP completion day.

### **Explanation of the law being amended by the regulations**

Part 2 of the 2020 Regulations make amendments to a number of Acts and revoke the Cross-Border Mediation (Scotland) Regulations 2011 ("the 2011 Regulations").

The 2011 Regulations partially implemented in respect of devolved matters, EU Cross-Border Mediation Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters ("the Mediation Directive"). The aim of this Directive is to encourage the use of mediation in cross-EU border cases.

The UK Government has made provision implementing the Mediation Directive including for Scotland in respect of reserved matters in separate regulations.<sup>8</sup>

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<sup>2</sup> <https://www.legislation.gov.uk/eudr/2008/52/contents>

<sup>3</sup> <https://www.legislation.gov.uk/eudr/2003/8>

<sup>4</sup> <https://www.legislation.gov.uk/ssi/2018/373/made>

<sup>5</sup> <https://www.legislation.gov.uk/eur/2016/1191>

<sup>6</sup> <https://www.legislation.gov.uk/ssi/2019/127/contents/made>

<sup>7</sup> <https://www.legislation.gov.uk/ssi/2019/104/contents/made>

<sup>8</sup> <https://www.legislation.gov.uk/uksi/2011/1133/made>

The reciprocity on which the Mediation Directive is based, and on which the 2011 Regulations were implemented, will cease. Unilateral application of the Mediation Directive in the UK after EU Exit would mean different rules would apply to certain mediations involving parties domiciled in EU member states compared with parties domiciled in the UK. The 2020 Regulations apply to devolved matters covered by the 2011 Regulations, and in doing so reverse the changes made by the 2011 Regulations to implement the Mediation Directive.

The 2011 Regulations will continue to apply to mediations begun but not completed before the end of the implementation period.

Part 3 of the 2020 Regulations makes amendments to the Legal Aid (Scotland) Act 1986 and related statutory instruments to remove references to Council Directive 2003/8/EC, which make provision for civil legal aid for cross-border disputes, and to remove an exception relating to EU Member States in respect of the Convention on the International Recovery of Child Support and other forms of Family Maintenance (“the Hague Convention 2007”). It also provides transitional and saving provisions. The provisions are saved until 15 days after IP completion day to provide a period of time for an application to be received after EU exit in relation to proceedings begun but not completed before the end of the implementation period.

Part 4 revokes the Multilingual Standard Forms (Fees) (Scotland) Regulations 2018.<sup>9</sup> These Regulations lay down the fee to be paid to NRS for issuing a multi-lingual translation aid under EU Regulation 2016/1191 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union.

EU Regulation 2016/1191 makes provision on the mutual recognition across the EU of civil status documents (e.g. birth and marriage certificates) and establishes multi-lingual translation aids for certain civil status documents.

In Scotland, NRS is responsible for issuing these translation aids. This obligation will end when a UK SI, the Immigration, Nationality and Asylum (EU Exit) Regulations 2019<sup>10</sup> comes into force at the end of the transitional period as this will revoke EU Regulation 2016/1191 for the UK as a whole.<sup>11</sup> Accordingly, it will no longer be necessary for there to be legislation in place which specifies the fee to be charged by NRS for issuing these translation aids.

There is existing provision in the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004<sup>12</sup> on registrars accepting multi-lingual translation aids issued by EU Member States when handling notices of intention to marry or enter a civil

<sup>9</sup> <https://www.legislation.gov.uk/ssi/2018/373/made>

<sup>10</sup> <https://www.legislation.gov.uk/uksi/2019/745/made>

<sup>11</sup> <https://www.legislation.gov.uk/uksi/2019/745/schedule/1/made> The last entry in part 1 of schedule 1 of this SI revokes EU Regulation 2016/1191 for the UK.

<sup>12</sup> SSI 2018/374 amended section 3 of the Marriage (Scotland) Act 1977 and section 88 of the Civil Partnership Act 2004 so that registrars can accept multi-lingual translation aids issued under the EU Regulation in conjunction with any of the documents required to be submitted to a registrar as part of a notice of intention to marry or notice of intention to enter into a civil partnership. The SSI also made minor consequential amendments to both Acts. Registrars are able to seek further details if the multi-lingual translation aid does not contain sufficient information.

partnership. This provision will remain in place given the benefits to both registrars and individuals of the continued ability to use these multi-lingual translation aids as part of marriage or civil partnership notices.

Part 5 makes amendments to legislation in the field of legal services and amends the 2019 Regulations in light of article 28 of the withdrawal agreement and sections 12 and 14 of the 2020 Act to change references from “exit day” to “IP completion day”. It also makes consequential amendments and transitional provision.

Part 6 relates to family law. Regulation 16 amends the 2019 Family Regulations. It replaces regulation 6 of those Regulations with provisions that make clear that nothing in those Regulations affects the application of the relevant paragraphs of Article 67 of the withdrawal agreement. This ensures that court actions started before the end of the implementation period can continue to be dealt with on the basis of the relevant EU provision.

### **Reasons for and effect of the proposed change or changes on retained EU law**

The 2020 Regulations relate to various pieces of legislation designed to implement EU legislation. Some of the changes reflect the fact that reciprocity with EU Member States is no longer in place once the implementation period comes to an end.

This instrument also makes a number of changes to amend references from “exit day” to “IP completion day” to reflect the end of the transitional period.

It also makes transitional provision in respect of matters and procedures begun but not completed before the end of the implementation period to reflect the withdrawal agreement

Both the 2019 Regulations and the 2019 Family Regulations are not yet in force. They are to come into force on IP completion day (31 December 2020 at 23.00). Therefore, the 2020 Regulations require to come into force before IP completion day so the amended versions of the 2019 Regulations and the 2019 Family Regulations can come into force on IP completion day.

The amendments are mainly of a technical nature and do not introduce any policy changes.

### **Statements required by the European Union (Withdrawal) Act 2018 and Additional Information required by the Protocol between the Scottish Government and the Scottish Parliament**

The Regulations are made in exercise of powers in the 2018 Act both to deal with deficiencies in retained EU law (paragraphs 1(1) and (3) of Part 1 of schedule 2) and to implement Part 3 of the withdrawal agreement (paragraph 11G(1) of Part 1B of schedule 2). The Regulations also exercise the powers in paragraph 21(b) of schedule 7 in relation to transitional etc. provision.

In addition, the Regulations are made in exercise of sections 12 and 14 of, and paragraph 12 of Schedule 4 to the 2020 Act to implement the professional qualifications provisions of the withdrawal agreement, the EEA EFTA separation agreement and the Swiss citizens’ rights agreement.

Regulations 2, 3, 4, 5, 6, 8, 9, 10, 11, 13 and 14 are made in exercise of the deficiencies powers.

Regulations 7, 12 and 16 are made in exercise of the power to implement Part 3 of the withdrawal agreement.

Regulation 15 is made in exercise of the deficiencies power (as expanded by paragraph 21(b) of schedule 7 of the 2018 Act) and the power to implement the professional qualifications provisions of the withdrawal agreement, the EEA EFTA separation agreement and the Swiss citizens' rights agreement (as expanded by paragraph 12 of Schedule 4 to the 2020 Act).

The Statements set out below relate to the exercise of the deficiencies powers.

The Additional Information set out below relates to the deficiencies powers and the powers to implement Part 3 of the withdrawal agreement as well as the powers to implement the professional qualifications provisions of the withdrawal agreement, the EEA EFTA separation agreement and the Swiss citizens' rights agreement

### **Statements required by European Union (Withdrawal) Act 2018**

The following statements are required under paragraph 29 of Schedule 7 of the 2018 Act as this instrument contains Regulations under Part 1 of the 2018 Act.<sup>13</sup>

#### **Statement that in their opinion Scottish Ministers consider that the regulations do no more than is appropriate**

The Minister for Community Safety has made the following statement "In my view the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 do no more than is appropriate. This is because the Regulations address necessary changes arising from leaving the EU".

#### **Statement as to why the Scottish Ministers consider that there are good reasons for the regulations and that this is a reasonable course of action**

The Minister for Community Safety has made the following statement "In my view there are good reasons for the provisions in this instrument, and I have concluded they are a reasonable course of action. It is the case that deficiencies arising from the withdrawal of the UK from the EU need to be addressed and that "exit day" needs to be amended to "IP completion day". The amendments made by it relate to a number of reciprocal measures which will cease to apply to the UK at the end of the implementation period. The technical amendments will remove redundant legislation and adjust legislation which is being retained so that it continues to operate effectively. The amendments will also make minor technical changes to domestic legislation to reflect EU exit and to ensure the law is clear following IP completion day."

#### **Statement as to whether the SSI amends, repeals or revokes any provision of equalities legislation, and, if it does, an explanation of that amendment, repeal or revocation**

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<sup>13</sup> <https://www.legislation.gov.uk/ukpga/2018/16/schedule/7/paragraph/29/enacted>

The Minister for Community Safety has made the following statement “In my view the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 do not amend, repeal or revoke a provision or provisions in the Equality Act 2006 or the Equality Act 2010 or subordinate legislation made under those Acts.”

**Statement that Scottish Ministers have, in preparing the regulations, had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010**

The Minister for Community Safety has made the following statement “In my view the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 have had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.”

**Additional information provided for EU Exit instruments in terms of the protocol agreed between the Scottish Government and the Scottish Parliament**

**Statement that Scottish Ministers have, in preparing the regulations, had due regard to the guidance principles on the environment and animal welfare**

This is not applicable.

**Statement explaining the effect (if any) of the regulations on rights and duties relating to employment and health and safety and matters relating to consumer protection (so far as is within devolved competence)**

This is not applicable.

**An indication of how the regulations should be categorised in relation to the significance of the change proposed**

The Regulations are categorised as low in relation to the significance of the change proposed. They are predominantly concerned with technical detail including amendments to primary legislation to ensure the law operates after IP completion day. There is no significant policy choice involved.

**Statement setting out the Scottish Ministers’ reasons for their choice of procedure**

This instrument is subject to the mandatory affirmative procedure under paragraph 1(6) of Schedule 7 of the 2018 Act as it contains a provision (regulation 14) which relates to a fee in respect of functions exercisable by a public authority.

**Further information**

**Consultation**

There is a requirement to consult the UK Secretary of State under paragraph 4 of schedule 2 of the 2018 Act where Regulations contain provisions which are due to come into force before IP completion day or where they remove wholly or partly reciprocal arrangements. The relevant UK Secretary of State has been consulted as required before the Regulations were made.

The Law Society of Scotland, the Faculty of Advocates and the Scottish Legal Aid Board were consulted on provisions relative to their interests.

National Records of Scotland have been consulted on the provision relative to their interests.

No other consultation was considered necessary as the amendments are technical in nature.

## **Impact Assessments**

We have not prepared the following impact assessments:

- Data Protection Impact Assessment
- Strategic Environmental Impact Assessment
- Fairer Scotland Duty Assessment
- Island Communities Impact Assessment

The amendments do not alter the Scottish Government's current environmental policies and priorities and therefore do not have a significant impact on the environment. There is no anticipated impact on data, no significant impact on socio-economic disadvantage and no differential impact on island communities.

We have completed the following impact assessments:

- Child Rights and Wellbeing Impact Assessment (CRWIA)
- Equality Impact Assessment (EQIA)
- Business and Regulatory Impact Assessment (BRIA)

## **Financial Effects**

A Business and Regulatory Impact Assessment has been completed. In broad terms, financial implications are low. There may be a modest saving (around £30,000 a year) to NRS as a result of not having to issue multi-lingual translation aids under the EU Regulation on civil status documents. Citizens travelling or living in EU Member States will likely find the cost of translating civil status documents to be higher than the cost of obtaining a multi-lingual translation aid.

Scottish Government  
Justice Directorate

28 October 2020

**EXTRACT FROM THE DPLR COMMITTEE'S REPORT ON THIS INSTRUMENT****Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (SSI 2020/draft)**

## Purpose

10. The Regulations amend a number of pieces of primary and secondary Scottish legislation relating to EU law requirements on mediation, legal aid, recognition of civil status documents (such as birth certificates), ability to practice as a lawyer, and cross-border family law disputes.
11. A number of the changes implement provisions of the Withdrawal Agreement, which makes provision in respect of ongoing judicial cooperation in civil and commercial matters relating to certain EU measures. Some of the changes reflect the fact that reciprocity with EU Member States is no longer in place once the implementation period comes to an end.

## Committee consideration on how the instrument has been categorised by the Scottish Government

12. The instrument has been categorised by the Scottish Government as of low significance under the SSI Protocol on the basis that the amendments made by the instrument are “predominantly concerned with technical detail including amendments to primary legislation to ensure the law operates after IP completion day. There is no significant policy choice involved.”
13. The Committee considers the low categorisation as insufficient, particularly in light of the revocation of the Multilingual Standard Forms (Fees) (Scotland) Regulations 2018. The 2018 Regulations make provision to allow National Records of Scotland to charge a fee of £10 for issuing multilingual standard forms to be attached to civil status documents for presentation in EU Member States. The Business and Regulatory Impact Assessment prepared for the instrument suggests the costs for translation are likely to be between £50 and £60, in comparison to the current £10 fee.
14. **The Committee recommends the instrument should be categorised as medium in terms of its significance under the SSI protocol.**

**Justice Committee  
31st Meeting, 2020 (Session 5), Tuesday 1 December 2020**

**Subordinate legislation**

**Note by the clerk**

**Purpose**

1. This paper invites the Committee to consider the following negative instrument:
  - [The Criminal Justice \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020](#) [see page 3];
2. The instrument was laid before the Parliament on 29 October 2020.
3. It has been laid under the negative procedure and has been categorised by the Scottish Government as of low significance under the SSI Protocol.
4. If the Committee agrees to report to the Parliament on the instrument it is required to do so by 7 December 2020.

**Delegated Powers and Law Reform Committee Consideration**

5. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on 10 November under the [SSI Protocol](#) agreed between the Scottish Government and the Scottish Parliament in respect of SSIs made using the powers under the European Union (Withdrawal) Act 2018.
6. The DPLR Committee is content that the use of the negative procedure is appropriate in these circumstances. The Committee recommended that the instrument should be categorised as medium in terms of its significance under the SSI Protocol.
7. In relation to its standard technical scrutiny of the instrument, the DPLR Committee agreed that it did not need to draw it to the attention of the Parliament on any grounds within its remit.
8. The relevant extract from the [Delegated Powers and Law Reform Committee's report](#) is attached in **Annexe B**.

**Procedure for negative instruments**

9. Negative instruments are instruments that are “subject to annulment” by resolution of the Parliament for a period of 40 days after they are laid. This means they become law unless they are annulled by the Parliament. All negative instruments are considered by the Delegated Powers and Law Reform Committee (on various technical grounds) and by the relevant lead committee (on policy grounds).

10. Under Rule 10.4, any member (whether or not a member of the lead committee) may, within the 40-day period, lodge a motion for consideration by the lead committee recommending annulment of the instrument.
11. If the motion is agreed to by the lead committee, the Parliamentary Bureau must then lodge a motion to annul the instrument to be considered by the Parliament as a whole. If that motion is also agreed to, the Scottish Ministers must revoke the instrument.
12. Each negative instrument appears on the Justice Committee's agenda at the first opportunity after the Delegated Powers and Law Reform Committee has reported on it. This means that, if questions are asked or concerns raised, consideration of the instrument can usually be continued to a later meeting to allow the Committee to gather more information or to invite a Minister to give evidence on the instrument. Members should however note that, for scheduling reasons, it is not *always* possible to continue an instrument to the following week. For this reason, if any Member has significant concerns about a negative instrument, they are encouraged to make this known to the clerks in advance of the meeting.
13. In many cases, the Committee may be content simply to note the instrument and agree to make no recommendations on it.

#### **Guidance on subordinate legislation**

14. Further guidance on subordinate legislation is available on the Delegated Powers and Law Reform Committee's web page at:  
<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/delegated-powers-committee.aspx>

#### **Recommendation**

15. **The Committee is invited to consider the instrument.**

**POLICY NOTE**

The Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020

**SSI 2020/339**

The above instrument is made in exercise of the powers conferred by paragraphs 1(1) and (3) and 11G(1) of schedule 2 and paragraph 21(b) of schedule 7 of the European Union (Withdrawal) Act 2018. The instrument is subject to negative procedure.

**Purpose of the instrument**

The Regulations address failures of retained EU law to operate effectively and other deficiencies in retained EU law (in particular, to address reciprocal arrangements which no longer exist and EU references which are no longer appropriate) arising from the withdrawal of the UK from the European Union. They do so in relation to the following EU measures:-

- Council Framework Decision 2005/214/JHA on recognition of financial penalties
- Council Framework Decision 2009/829/JHA on recognition of supervision measures
- Council Framework Decision 2008/675/JHA on taking account of convictions
- Directive 2012/13/EU on the right to information in criminal proceedings
- Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings
- Directive 2000/31/EC on electronic commerce

**Policy Objectives**

When an EU member state, the UK enjoyed several reciprocal arrangements with other EU member states (EUMS) which allowed for mutual judicial cooperation in criminal matters. These measures have continued to apply during the transition or implementation period. Among these are those measures addressed in the Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (hereafter “the Regulations”), which are:

- **Council Framework Decision 2005/214/JHA on mutual recognition of financial penalties**, which requires that Member States make arrangements to allow for fines and other financial penalties levied in one Member State to be enforceable in any other.
- **Council Framework Decision 2009/829/JHA on mutual recognition of supervision measures**, which promotes mutual recognition within the EU of

judicial decisions relating to non-custodial pre-trial supervision measures which may be imposed on accused persons in criminal proceedings: i.e. bail.

At the end of the transition period, in the absence of any agreement on continuing co-operation these reciprocal arrangements (which have, in any case, been little used) will no longer exist between the UK and EU member states and will no longer be legally operable between EUMS and Scotland, or the UK generally. These Regulations will both reverse the domestic law implementation of these Framework Decisions and remove inoperable provisions from the statute book.

- **Council Framework Decision 2008/675/JHA on taking account of convictions in the member States of the European Union in the course of new criminal proceedings.** This requires that known prior convictions in EU member states are to be taken into account in the same way as national law provides for domestic convictions to be taken into account.

The Regulations will remove the requirements put in place across a range of statutory provisions to implement the obligations under the Framework Decision to take EU convictions into account. Instead of maintaining a requirement, the amendments adjust the provisions to give Scottish courts the discretion to do so where appropriate. This will mitigate the impact on public protection of the loss of the requirement where EU derived convictions are concerned rather than reverting to reliance on the residual common law, which largely governs the treatment of non-EU foreign convictions in Scottish courts.

The specific approach for EU convictions recognises that EU nationals make up a more significant part of the population of Scotland than non-EU foreign nationals; therefore Scottish courts are more likely to be required to deal with individuals with EU convictions rather than non-EU convictions.

Provision is also made in relation to matters and procedures relating to these EU measures which are in progress at the end of the transition or implementation period, taking account of the provisions in Title V of Part 3 of the withdrawal agreement between the EU and the UK. Title V makes provision in respect of continuing judicial co-operation in criminal matters relating to certain EU measures referred to in the withdrawal agreement as “other separation issues”.

There are also EU instruments which seek to establish minimum standards in applying rights in the justice systems of the EU. Among these, those measures addressed in the Regulations are:

- **Directive 2012/13/EU on the right to information in criminal proceedings**, which requires that accused persons are provided with information about their rights.
- **Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings**, which requires interpretation and translation of the most essential parts of criminal procedure to be made available to accused persons.

These rights are secured in Scottish legislation which will continue. Minor and technical amendments are made to reflect that the UK is no longer an EU member State.

Directive 2000/31/EC on certain aspects of information society services, in particular e-commerce was implemented in relation to the offence of possessing an extreme pornographic image (section 51A of the Civic Government (Scotland) Act 1982) by S.S.I 2011/127 and S.I 2018/477. This reflects Scottish Ministers competence which is limited to implementing certain aspects of the Directive in relation to offences in devolved areas. Minor and technical amendments are made to S.S.I 2011/127 to reflect that the UK is no longer a member of the EU and bring it in line with amendments already made to the UK legislation.

A minor amendment is also proposed to the Licensing (Amendment) (EU Exit) (Scotland) Regulations 2019 which address deficiencies in Scottish licensing legislation. These Regulations include saving provision which refers to “exit day”. This reference is no longer appropriate and the reference is to be updated to refer to “IP completion day” when the Regulations will now come into force.

### **Explanation of the law being amended by the regulations**

#### **Part 2 of the Regulations - Council Framework Decision 2005/214/JHA on the application of the principle of mutual recognition of financial penalties**

This Framework Decision was implemented in Scotland by amendments to: the Criminal Procedure (Scotland) Act 1995 made by the Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) Order 2009; the Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) (No. 1) Order 2014; and the Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) (No. 2) Order 2014, to give effect to the reciprocal recognition of financial penalties between Scotland and EU member states. The Framework Decision is not directly effective and ceases to apply to the UK at end of the implementation period. The Regulations reverse the amendments made to the 1995 Act and revoke the Orders.

Section 56 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 provides Scottish Ministers with power to make subordinate legislation to implement the Framework Decision. This is now redundant and will be repealed. There is also a consequential amendment to section 81 of the 2007 Act and the revocation of paragraph 19 of the Civil Jurisdiction and Judgments Regulations 2007 and paragraph 6 of the Civil Jurisdiction and Judgments (Amendment) Regulations 2014, both of which amended section 56.

Part 2 also provides for transitional and saving provision in relation to decisions requiring payment of financial penalties received before the end of the implementation period. Provision is made in relation to decisions received in Scotland or in EU member States taking account of the terms of the withdrawal agreement with the EU.

#### **Part 3 – Council Framework Decision 2009/829/JHA on the application of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.**

The Framework Decision was implemented by the Mutual Recognition of Supervision Measures in the European Union (Scotland) Regulations 2014. The Framework Decision is not directly effective and ceases to apply in the UK at the end of the implementation period. The 2014 regulations are to be revoked. Transitional and saving provision is made for decisions on supervision measures received before the end of the implementation period in Scotland or in an EU member State, taking account of the terms of the withdrawal agreement with the EU.

#### **Part 4 – Council Framework Decision 2008/675/JHA on taking account of convictions in the member States of the European Union in the course of new criminal proceedings**

The Framework Decision was implemented in Scotland by amendments to a range of domestic legislation where provision was made in relation to the account to be taken of previous convictions. The legislation was amended to give convictions from other EU member states parity with domestic convictions. This legislation is now being amended by the Regulations to reflect that the Framework Decision, which is not directly effective, ceases to apply in the UK at the end of the implementation period.

The policy approach is to recast the requirement to take account of the EU convictions. Instead, there is to be a discretion for courts to take account of EU convictions if it is considered appropriate to do so. Technical amendments are also required to reflect that the UK is no longer an EU member state.

Section 71(2) of the Criminal Justice and Licensing (Scotland) Act 2010 gives Scottish Ministers power to make statutory legislation to implement the obligations in the Framework Decision. This is to be repealed, as the Framework Decision will no longer apply to the UK.

Transitional provision is included in relation to criminal proceedings ongoing at the end of the implementation period again with reference to the terms of the withdrawal agreement with the EU.

#### **Part 5 – Directive 2012/13/EU on the right to information in criminal proceedings**

Section 5 of the Criminal Justice (Scotland) Act 2016 sets out the information to be given to a person in police custody. Section 5(3) requires that the person be provided with information to satisfy the requirements of Articles 3 and 4 of the Directive 2012/13/EU. This requirement is to continue but a minor modification to the provision is being made to clarify that the requirements are those placed on member States in view of the fact that the Directive will cease to apply to the UK at the end of the implementation period.

#### **Part 6 – Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings**

The Directive was implemented in Scotland by the Right to Interpretation and Translation in Criminal Proceedings (Scotland) Regulations 2014/95. These Regulations are to be retained but updated to make minor modifications to provisions

to clarify that the requirements are those placed on member States in view of the fact that the Directive will cease to apply to the UK at the end of the implementation period.

### **Part 7 – Directive 2000/31/EC – E-commerce Directive**

The Extreme Pornography (Electronic Commerce Directive) (Scotland) Regulations 2011/137 implement in part this Directive in respect of the offence of possessing an extreme pornographic image (section 51A of the Civic Government (Scotland) Act 1982). The remainder of the Directive is implemented for this offence by the UK SI, the Electronic Commerce Directive (Miscellaneous Provisions) Regulations 2018/477. Part 7 of the Order makes minor, technical amendments to the 2011 Regulations to reflect the fact that the United Kingdom will no longer be a member of the European Economic Area (EEA). These amendments are in line with the amendments made to the 2018 Regulations by the Electronic Commerce (Amendment etc.) (EU Exit) Regulations 2019/87.

### **Part 8 – Licensing**

The Licensing (Amendment) (EU Exit) (Scotland) Regulations 2019/6 amends provision in licensing legislation to enable it to continue to operate effectively at the end of the implementation period. Regulation 7 includes saving provision which operates with reference to “exit day”. This reference is no longer appropriate and is amended to refer to “IP completion day” which is when (in accordance with paragraph 1 of schedule 5 of the European Union (Withdrawal Agreement) Act 2020) these Regulations will now come into force.

### **Reasons for and effect of the proposed change or changes on retained EU law**

The Regulations will ensure that redundant legislation is removed, and that retained EU law is modified to operate effectively; thus reducing the potential for future operational confusion following the UK’s exit from the EU.

### **Statements required by the European Union Withdrawal Act 2018 and Additional Information required by the Protocol between the Scottish Government and the Scottish Parliament**

The Regulations are made in exercise of powers in the 2018 Act both to deal with deficiencies in retained EU law (paragraphs 1(1) and (3) of Part 1 of schedule 2) and to implement Part 3 of the withdrawal agreement (paragraph 11G(1) of Part 1B of schedule 2). The Regulations also exercise the powers in paragraph 21(b) of schedule 7 in relation to transitional etc. provision

Regulations 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 15 and 17 to 20 are made in exercise of the deficiencies powers

Regulations 6, 9 and 16 are made in exercise of the deficiencies powers (as expanded by paragraph 21(b) of schedule 7) and the powers to implement Part 3 of the withdrawal agreement.

The Statements set out below relate to the exercise of the deficiencies powers.

The Additional Information set out below relates, except where indicated, to the deficiencies powers and the powers to implement Part 3 of the withdrawal agreement.

**Statements required by European Union (Withdrawal) Act 2018**

**Statement that in their opinion Scottish Ministers consider that the regulations do no more than is appropriate**

The Cabinet Secretary for Justice has made the following statement “In my view The Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 do no more than is appropriate. This is because the Regulations address necessary changes arising from leaving the EU”.

**Statement as to why the Scottish Ministers consider that there are good reasons for the regulations and that this is a reasonable course of action**

The Cabinet Secretary for Justice has made the following statement “In my view there are good reasons for the provisions in this instrument, and I have concluded they are a reasonable course of action.

This is because the amendments made by it relate to a number of reciprocal measures which will cease to apply to the UK. As the reciprocal measures will cease to exist after the end of the implementation period, this Instrument will address failures of retained EU law to operate effectively and other deficiencies in retained EU law. The Regulations will ensure that redundant legislation is removed and adjust legislation which is being retained so that it continues to operate effectively. The regulations also make minor technical adjustments to domestic legislation relating to other EU measures to reflect EU exit ”.

**Statement as to whether the SSI amends, repeals or revokes any provision of equalities legislation, and, if it does, an explanation of that amendment, repeal or revocation**

The Cabinet Secretary for Justice has made the following statement “In my view The Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 do not amend, repeal or revoke a provision or provisions in the Equality Act 2006 or the Equality Act 2010 or subordinate legislation made under those Acts”.

**Statement that Scottish Ministers have, in preparing the regulations, had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010**

The Cabinet Secretary for Justice has made the following statement “In my view The Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 have had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010”.

**Additional information provided for EU Exit instruments in terms of the protocol agreed between the Scottish Government and the Scottish Parliament**

**Statement that Scottish Ministers have, in preparing the regulations, had due regard to the guidance principles on the environment and animal welfare**

This heading is not applicable.

**Statement explaining the effect (if any) of the regulations on rights and duties relating to employment and health and safety and matters relating to consumer protection (so far as is within devolved competence)**

This heading is not applicable.

**An indication of how the regulations should be categorised in relation to the significance of the change proposed**

Low significance. These amendments relate to a number of reciprocal measures which will cease to apply to the UK. The amendments address the domestic legislation associated with these measures and include transitional and saving provision in implementation of Part 3 of the withdrawal agreement. The regulations also make minor amendments to legislation implementing EU Directives to take account of EU Exit.

**Statement setting out the Scottish Ministers' reasons for their choice of procedure**

This Statement relates only to the exercise of the deficiencies powers (paragraphs 1(1) and (3) of Part 1 of schedule 2 of the EU (Withdrawal) Act 2018) in relation to which there is a choice of procedure in terms of paragraph 1(7) of schedule 7 of that Act.

The Regulations will remove and adjust redundant reciprocal arrangements in domestic legislation regarding the Framework Decisions which no longer apply to the UK and make technical amendments to allow retained legislation to operate in the context of EU Exit.

Although amendment is made to primary legislation, the amendments are mainly technical in nature to reflect that certain obligations no longer apply to the UK and make retained EU law work effectively in that context. It is therefore considered that negative procedure is appropriate.

**Further information**

**Consultation**

There is a requirement to consult the UK Secretary of State under paragraph 4 of schedule 2 of the EU (Withdrawal) Act 2018 as the Regulations relate to reciprocal arrangements with the EU and Part 8 comes into force before IP completion day. The Minister of State for Security has been consulted as required by the 2018 Act before the Regulations were made.

Informal consultation was also carried out with the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunal Service.

### **Impact Assessments**

Full impact assessments have not been prepared for this instrument because the amendments do not alter Scottish Government's current environmental policies and priorities and, therefore, do not have a significant impact on the environment. There is expected to be no impact on business, charities or voluntary bodies.

### **Financial Effects**

The Cabinet Secretary for Justice confirms that no BRIA is necessary, as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Safer Communities Directorate  
27/10/20

**EXTRACT FROM THE DPLR COMMITTEE'S REPORT ON THIS INSTRUMENT**

**Criminal Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (SSI 2020/ 339)**

Purpose

6. The Regulations make provision in relation to a number of areas of criminal justice law, to:
  - address failures of retained EU law to operate effectively and other deficiencies in retained EU law, particularly in relation to reciprocal measures which will cease to apply to the UK at the end of the implementation period; and
  - make transitional and saving provision in respect of matters begun but not completed before the end of the implementation period.

Committee consideration of the scrutiny procedure under which it has been laid and the categorisation applied by the Scottish Government.

7. The instrument has been laid under the negative procedure and has been categorised by the Scottish Government as of low significance under the SSI Protocol.
- 8. The Committee is content that the use of the negative procedure is appropriate in these circumstances.**
- 9. The Committee recommends that the instrument should be categorised as medium in terms of its significance under the SSI Protocol.**

**Justice Sub-Committee on Policing**

**31<sup>st</sup> Meeting, 2020 (Session 5), Tuesday 1 December 2020**

**Note by the Clerk**

**Feedback paper**

**Introduction**

1. On 23 November 2020, the Justice Sub-Committee on Policing held an evidence session on policing during the coronavirus pandemic.
2. The Sub-Committee heard from John Scott QC Solicitor Advocate, Chair of the [Independent Advisory Group on Police Use of Temporary Powers related to the Coronavirus Crisis](#), and Professor Susan McVie, Member of the Independent Advisory Group.
3. Mr Scott and Professor McVie provided an update on Police Scotland's approach to policing during the coronavirus pandemic and the progress of the Independent Advisory Group's (IAG) review of Police Scotland's use of the emergency powers.

**Key Issues**

4. The Sub-Committee considered the findings of the IAG in its [second](#), [third](#) and [fourth](#) interim reports, which were published in June, August and September 2020 respectively.
5. The witnesses confirmed that Police Scotland continues to have good awareness of the human rights aspects of the emergency powers and to have due regard to those as well as Police Scotland's values. Police Scotland and the Scottish Police Authority are fully supporting the work of the Group. The adherence by the public of the restrictions has been very good. Police Scotland have spoken with the people about the pandemic around 62,000 times, which demonstrates Police Scotland's engagement approach.
6. The establishment of the Coronavirus Intervention database (CVI) by Police Scotland has enabled the Group to analyse up to date trends on enforcement and wider policing practice. Professor McVie told the Sub-Committee that data is core to addressing the pandemic.
7. John Scott QC told the Sub-Committee that the recently introduced regulations on travel restrictions would be "simply impossible" for Police Scotland to enforce. The reasons for this are that a significant number of people are entitled to travel for work, care and other essential purposes. Mr Scott added that if there are situations where people come to the attention of the police, for example a bus full of people travelling to a football match, this may allow for officers to intervene. However, he felt the regulations do convey an important message to the public about travelling.
8. The Sub-Committee considered the impact on the police service and the public of the truncated legislative process for the introduction of legislation to tackle

the coronavirus pandemic. Mr Scott stated that at this stage in the pandemic he is not convinced that statements by the First Minister, followed by the detail of the regulations a few days later is “a good enough way of working”. In some instances, he stated, urgent action is required, but it is not necessary to be in emergency mode all the time. Mr Scott added that the recently introduced tier system may help to address that issue.

9. The Sub-Committee heard that the IAG had experienced some difficulties in accessing certain data, due to the imitations of Police Scotland’s ICT systems. This included the type of crimes for which fixed penalty notices were issued, and information on those children and young people coming to the attention of the police during the pandemic. The Sub-Committee has asked Police Scotland to confirm whether these data recording issues have been resolved, and also to confirm whether it regularly gathers data on the use of spit hoods and tasers.

10. In its written submission to the Sub-Committee, Police Scotland indicated that “recorded contact of sexual offending against children (aged 15 and under) decreased by 24.5% compared to the same period previous year”. John Scott QC described this statistic as “misleading”. The Sub-Committee has written to Police Scotland for confirmation that the data only refers to a decrease in the number of reported crimes, and that due to the current difficulties in obtaining accurate data, it does not represent an actual reduction in the level of sexual offences against children. The Sub-Committee has also asked Police Scotland to provide details of the work it is doing to gather data on this offence.<sup>1</sup>

11. The Sub-Committee agreed to keep the issue of policing during the coronavirus pandemic under review.

12. The Sub-Committee considered Police Scotland’s recently published evaluation of the use of three Remotely Piloted Aircraft Systems (RPAS), also known colloquially as drones.

13. The Sub-Committee has written to Police Scotland<sup>2</sup> and the Scottish Police Authority<sup>3</sup> to raise concerns about the drones being used beyond what was expected or agreed. The Sub-Committee has asked whether the RPAS are fit for purpose as they can only be used in ‘fair weather’, and whether any evaluations of their impact on privacy and human rights, or any ethical assessments are to be undertaken.

14. The Sub-Committee is to consider the responses at its next meeting, which is scheduled for 7 December. At that meeting, the Sub-Committee will also take evidence from Dame Elish Angiolini on the final report of the Independent Review of Complaints Handling, Investigations and Misconduct Issues in relation to Policing.

## **Justice Sub-Committee clerks**

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<sup>1</sup> Letter from the Convener of the Sub-Committee to the Chief Constable of Police Scotland, 26 November 2020: [https://www.parliament.scot/S5\\_JusticeSubCommitteeOnPolicing/Inquiries/20201126JFtoPS-datacollection.pdf](https://www.parliament.scot/S5_JusticeSubCommitteeOnPolicing/Inquiries/20201126JFtoPS-datacollection.pdf)

<sup>2</sup> Letter from the Convener of the Sub-Committee to the Chief Constable of Police Scotland on Remotely Piloted Aircraft Systems, 25 November 2020: [https://www.parliament.scot/S5\\_JusticeSubCommitteeOnPolicing/Inquiries/20201125JFtoPS-Drones.pdf](https://www.parliament.scot/S5_JusticeSubCommitteeOnPolicing/Inquiries/20201125JFtoPS-Drones.pdf)

<sup>3</sup> Letter from the Convener of the Sub-Committee to the Interim Chair of the Scottish Police Authority on Remotely Piloted Aircraft Systems, 25 November 2020: [https://www.parliament.scot/S5\\_JusticeSubCommitteeOnPolicing/Inquiries/20201125JFtoSPA-Drones.pdf](https://www.parliament.scot/S5_JusticeSubCommitteeOnPolicing/Inquiries/20201125JFtoSPA-Drones.pdf)

26 November 2020