



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

3rd Meeting, 2021 (Session 5)

Tuesday 26 January 2021

Present:

Annabelle Ewing  
Rhoda Grant  
Fulton MacGregor  
Liam McArthur  
Adam Tomkins (Convener)

John Finnie  
Liam Kerr  
Rona Mackay (Deputy Convener)  
Shona Robison

Also present: Ash Denham, Minister for Community Safety and Andy Wightman (item 1).

The meeting opened at 10.00 am.

1. **Defamation and Malicious Publication (Scotland) Bill:** The Committee considered the Bill at Stage 2.

Liam Kerr indicated that he is a member of the Law Society of Scotland.

The following amendments were agreed to (without division): 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 28.

The following amendments were agreed to (by division)—

- 1 (For 7, Against 2, Abstentions 0)
- 2 (For 7, Against 2, Abstentions 0)
- 3 (For 8, Against 1, Abstentions 0)
- 4 (For 7, Against 2, Abstentions 0).

The following amendments were disagreed to (by division)—

- 30 (For 3, Against 6, Abstentions 0)
- 32 (For 3, Against 6, Abstentions 0)
- 33 (For 2, Against 7, Abstentions 0)
- 34 (For 2, Against 7, Abstentions 0)
- 36 (For 3, Against 6, Abstentions 0)

The following amendments were moved and, no member having objected, withdrawn: 29, 13, 38 and 26.

The following amendments were not moved: 31, 35, 37, 23, 24, 25 and 27.

The following provisions were agreed to without amendment: sections 1, 4, 5, 6, 7, 8, 9, 10 and 11, the schedule, sections 12, 13, 15, 16, 17, 18, 20, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39 and 40 and the long title.

The following provisions were agreed to as amended: sections 2, 3, 14, 19, 21, 22 and 23.

The Committee completed Stage 2 consideration of the Bill.

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

Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers)  
(Hague Service Convention) (Amendment) 2020 (SSI 2020/423)

Legal Aid and Advice and Assistance (Miscellaneous Amendments)  
(Scotland) Regulations 2020 (SSI 2020/424)

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

3. **Justice Sub-Committee on Policing:** The Committee noted a report back from the Sub-Committee meeting held on 18 January 2021.

The meeting closed at 11.37 am.

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