



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

10th Meeting, 2016 (Session 5)

Tuesday 22 November 2016

Present:

Claire Baker (Committee Substitute)	Mairi Evans
John Finnie	Fulton MacGregor
Rona Mackay (Deputy Convener)	Ben Macpherson
Liam McArthur	Margaret Mitchell (Convener)
Oliver Mundell	Stewart Stevenson

Apologies were received from Mary Fee and Douglas Ross.

The meeting opened at 10.00 am.

1. **Declaration of interests:** Claire Baker was invited to declare any relevant interests. Ms Baker had no such interests to declare.
2. **Decisions on taking business in private:** The Committee agreed to take items 9 and 10 in private.
3. **Subordinate legislation:** The Committee took evidence on the Home Detention Curfew Licence (Amendment) (Scotland) Order 2016 [draft] from—

Annabelle Ewing, Minister for Community Safety and Legal Affairs, and Linda Pollock, Deputy Director, Community Justice Division, Scottish Government.
4. **Subordinate legislation:** Annabelle Ewing (Minister for Community Safety and Legal Affairs) moved—

S5M-02127—That the Justice Committee recommends that the Home Detention Curfew Licence (Amendment) (Scotland) Order 2016 [draft] be approved.

The motion was agreed to (by division: For 8, Against 2, Abstentions 0).

5. **Subordinate legislation:** The Committee took evidence on the Air Weapons Licensing (Exemptions) (Scotland) Regulations 2016 [draft] from—

Annabelle Ewing, Minister for Community Safety and Legal Affairs, Scottish Government.

6. **Subordinate legislation:** Annabelle Ewing (Minister for Community Safety and Legal Affairs) moved—

S5M-02262—That the Justice Committee recommends that the Air Weapons Licensing (Exemptions) (Scotland) Regulations 2016 [draft] be approved.

The motion was agreed to.

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

Justices of the Peace (Training and Appraisal) (Scotland) Order 2016 (SSI 2016/329);

Court Fees (Miscellaneous Amendments) (Scotland) Order 2016 (SSI 2016/332);

Upper Tribunal for Scotland (Rules of Procedure) Amendment Regulations 2016 (SSI 2016/333);

Tenant Information Packs (Assured Tenancies) (Scotland) Amendment Order 2016 (SSI 2016/334);

First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016 (SSI 2016/339).

The Committee agreed to make no recommendations in relation to the instruments. In relation to SSI 2016/332, the Committee agreed to request further information from the Scottish Government.

8. **Inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service:** The Committee took evidence from—

John Little JP and Sam McEwan JP, Justices of the Peace, Sheriffdom of North Strathclyde;

Assistant Chief Constable Bernard Higgins, Operations and Justice, and Chief Superintendent Garry McEwan, Divisional Commander, Criminal Justice Services Division, Police Scotland;

Eric McQueen, Chief Executive, and Tim Barraclough, Chief Development and Innovation Officer, Scottish Courts and Tribunals Service.

9. **Policing and Crime Bill (UK Parliament legislation) (in private):** The Committee considered and agreed its report to the Parliament on legislative consent memorandum LCM-S5-3.
10. **Work programme (in private):** The Committee considered its work programme and agreed (a) to request further information from witnesses in relation to its inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service; (b) witnesses for its forthcoming evidence sessions on this inquiry; (c) to undertake a fact-finding visit to Edinburgh Sheriff Court as part of this inquiry; (d) to note a request to scrutinise the role of the Judicial Complaints Reviewer but to take no action at this time; and (e) to seek authorisation to undertake a fact-finding visit to the UK Parliament in the new year.

The meeting closed at 1.02 pm.

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