



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

33rd Meeting, 2017 (Session 5)

Tuesday 14 November 2017

Present:

George Adam
Mary Fee
Mairi Gougeon
Fulton MacGregor
Ben Macpherson

Maurice Corry
John Finnie
Liam Kerr
Rona Mackay (Deputy Convener)
Margaret Mitchell (Convener)

Also present: James Kelly, Member in Charge of the Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill (item 5).

Apologies were received from Liam McArthur.

The meeting opened at 10.00 am.

1. **Subordinate legislation:** The Committee took evidence on the Telecommunications Restriction Orders (Custodial Institutions) (Scotland) Regulations 2017 [draft] from—

Michael Matheson, Cabinet Secretary for Justice, Scottish Government.

2. **Subordinate legislation:** Michael Matheson (Cabinet Secretary for Justice) moved—

S5M-08386—That the Justice Committee recommends that the Telecommunications Restriction Orders (Custodial Institutions) (Scotland) Regulations 2017 [draft] be approved.

The motion was agreed to without debate or dissent.

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

Housing (Scotland) Act 2014 (Consequential Provisions) Order 2017 (SSI 2017/329);

Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017 (SSI 2017/349);

Pensions Appeal Tribunals (Scotland) (Amendment) Rules 2017 (SSI 2017/367).

Liam Kerr declared interests as a landlord in the private rented sector, and as a member of the Scottish Association of Landlords.

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

4. **Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

Martin Haggarty, Managing Director, Accident Claims Scotland Ltd;

Paul Brown, Chief Executive/Principal Solicitor, Legal Services Agency;

George Clark, Managing Director, Quantum Claims;

Professor Alan Paterson, School of Law, University of Strathclyde;

Thomas Docherty, Parliamentary Affairs Manager, Which?.

Liam Kerr declared interests as a solicitor with current practising certificates from the Law Society of Scotland and, in England and Wales, the Law Society. Ben Macpherson declared an interest as being registered on the Scottish roll of solicitors.

5. **Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

Andrew Tickell, Lecturer in Law, Glasgow Caledonian University;

Dr Joseph Webster, Lecturer in Anthropology, Queen's University, Belfast;

Dr Stuart Waiton, Senior Lecturer, Division of Sociology, School of Social and Health Sciences, University of Abertay Dundee;

Dr John Kelly, Lecturer in Sport Policy, Management and International Development, University of Edinburgh.

6. **Justice Sub-Committee on Policing:** The Committee noted a report back from the Convener of the Sub-Committee on the meeting held on 9 November 2017.
7. **Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill - witness expenses:** The Committee agreed to delegate to the Convener responsibility for arranging for the SPCB to pay, under Rule 12.4.3, any expenses of witnesses on the Bill.
8. **Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill - witness expenses:** The Committee agreed to delegate to the Convener responsibility for arranging for the SPCB to pay, under Rule 12.4.3, any expenses of witnesses on the Bill.

The meeting closed at 1.11 pm.

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