



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

8th Meeting, 2018 (Session 5)

Tuesday 6 March 2018

Present:

George Adam	Maurice Corry
John Finnie	Mairi Gougeon
Daniel Johnson	Liam Kerr
Fulton MacGregor	Rona Mackay (Deputy Convener)
Ben Macpherson	Liam McArthur
Margaret Mitchell (Convener)	

Also present: Annabelle Ewing, Minister for Community Safety and Legal Affairs (item 2), and Gordon Lindhurst (item 2).

The meeting opened at 10.00 am.

1. **Decision on taking business in private:** The Committee agreed to take item 5 in private.
2. **Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill:** The Committee considered the Bill at Stage 2 (Day 2).

The following amendments were agreed to (without division): 37, 38, 39, 40, 41, 42, 43, 44, 61, 45, 46, 47, 49, 51, 52, 50, 53, 54, 14, 15, 62 and 56.

The following amendments were agreed to (by division)—

48 (For 8, Against 3, Abstentions 0)
13 (For 6, Against 5, Abstentions 0)
16 (For 6, Against 5, Abstentions 0).

The following amendments were disagreed to (by division)—

11 (For 2, Against 9, Abstentions 0)
17 (For 4, Against 7, Abstentions 0)
65 (For 3, Against 8, Abstentions 0).

Amendment 55 was moved and, no member having objected, withdrawn.

The following amendments were not moved: 64 and 12.

The following provisions were agreed to without amendment: sections 13, 14, 16, 18, 20, 21, 23 and the Long Title.

The following provisions were agreed to as amended: sections 9, 10, 11, 12, the schedule, sections 15, 17, 19 and 22.

The Committee completed Stage 2 consideration of the Bill.

3. **Alternative dispute resolution:** The Committee took evidence from—

Nicos Scholarios, Secretary, CALM Scotland;

Isabella Ennis, Chair, Family Law Arbitration Group Scotland;

Rosanne Cubitt, Head of Practice Mediation, Relationships Scotland;

Dr Marsha Scott, Chief Executive, Scottish Women's Aid.

Liam McArthur declared an interest as his wife is a mediator at Relationships Scotland.

4. **Subordinate legislation:** The Committee considered the following negative instrument—

Premises Licence (Scotland) Amendment Regulations 2018 (SSI 2018/49).

The Committee agreed to write to the Scottish Government seeking clarification in relation to a point raised on the instrument and to consider the instrument again at a future meeting.

5. **Work programme (in private):** The Committee considered its work programme and agreed to seek written evidence from the Convention of Scottish Local Authorities, the Law Society of Scotland, the Lord President and the University of Strathclyde in relation to alternative dispute resolution, and to consider the issue again at a future meeting.

The meeting closed at 12.56 pm.

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