



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

11th Meeting, 2019 (Session 5)

Tuesday 2 April 2019

Present:

John Finnie	Jenny Gilruth
Daniel Johnson	Liam Kerr
Bill Kidd (Committee Substitute)	Fulton MacGregor
Rona Mackay (Deputy Convener)	Liam McArthur
Margaret Mitchell (Convener)	

Also present: Humza Yousaf, Cabinet Secretary for Justice (item 1).

Apologies were received from Shona Robison.

The meeting opened at 10.00 am.

1. **Management of Offenders (Scotland) Bill:** The Committee considered the Bill at Stage 2 (Day 1).

The following amendments were agreed to (without division): 81, 82, 83, 84, 85, 31, 86, 87, 88, 89, 91 and 92.

The following amendments were agreed to (by division)-

- 2 (For 7, Against 2, Abstentions 0)
- 3 (For 7, Against 2, Abstentions 0)
- 4 (For 7, Against 2, Abstentions 0)
- 5 (For 7, Against 2, Abstentions 0)
- 6 (For 7, Against 2, Abstentions 0)
- 7 (For 7, Against 2, Abstentions 0)
- 8 (For 7, Against 2, Abstentions 0)
- 9 (For 7, Against 2, Abstentions 0)
- 10 (For 7, Against 2, Abstentions 0)
- 11 (For 7, Against 2, Abstentions 0)
- 12 (For 7, Against 2, Abstentions 0)
- 13 (For 7, Against 2, Abstentions 0)
- 14 (For 7, Against 2, Abstentions 0)

- 15 (For 7, Against 2, Abstentions 0)
- 16 (For 7, Against 2, Abstentions 0)
- 17 (For 7, Against 2, Abstentions 0)
- 18 (For 7, Against 2, Abstentions 0)
- 19 (For 7, Against 2, Abstentions 0)
- 20 (For 7, Against 2, Abstentions 0)
- 21 (For 7, Against 2, Abstentions 0)
- 22 (For 7, Against 2, Abstentions 0)
- 23 (For 7, Against 2, Abstentions 0)
- 24 (For 7, Against 2, Abstentions 0)
- 25 (For 7, Against 2, Abstentions 0)
- 26 (For 7, Against 2, Abstentions 0)
- 27 (For 7, Against 2, Abstentions 0)
- 28 (For 7, Against 2, Abstentions 0)
- 29 (For 7, Against 2, Abstentions 0)
- 30 (For 7, Against 2, Abstentions 0)
- 32 (For 7, Against 2, Abstentions 0)
- 33 (For 7, Against 2, Abstentions 0)
- 34 (For 7, Against 2, Abstentions 0)
- 35 (For 7, Against 2, Abstentions 0)
- 36 (For 7, Against 2, Abstentions 0)
- 37 (For 7, Against 2, Abstentions 0)
- 38 (For 7, Against 2, Abstentions 0)
- 39 (For 7, Against 2, Abstentions 0)
- 40 (For 7, Against 2, Abstentions 0)
- 41 (For 7, Against 2, Abstentions 0)
- 42 (For 7, Against 2, Abstentions 0)
- 43 (For 7, Against 2, Abstentions 0)
- 44 (For 7, Against 2, Abstentions 0)
- 45 (For 7, Against 2, Abstentions 0)
- 46 (For 7, Against 2, Abstentions 0)
- 47 (For 7, Against 2, Abstentions 0)
- 48 (For 7, Against 2, Abstentions 0)
- 49 (For 7, Against 2, Abstentions 0)
- 50 (For 7, Against 2, Abstentions 0)
- 51 (For 7, Against 2, Abstentions 0)
- 74 (For 4, Against 4, Abstentions 1; amendment agreed to on casting vote)
- 52 (For 7, Against 2, Abstentions 0)
- 53 (For 7, Against 2, Abstentions 0).

The following amendments were disagreed to (by division)-

- 78 (For 4, Against 5, Abstentions 0)
- 90 (For 2, Against 7, Abstentions 0)
- 73 (For 3, Against 6, Abstentions 0).

Amendment 131 was not moved.

The following provisions were agreed to as amended: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

The Committee ended consideration of the Bill for the day amendment 53 having been disposed of.

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

Act of Sederunt (Rules of the Court of Session, Sheriff Appeal Court Rules and Ordinary Cause Rules Amendment) (Taxation of Judicial Expenses) 2019 (SSI 2019/74).

The Committee agreed to make no recommendation in relation to the instrument.

3. **Decision on taking business in private:** The Committee agreed to take item 4 in private.
4. **Work programme (in private):** The Committee considered its work programme and agreed (a) its approach to consideration of the forthcoming Scottish Statutory Instrument in relation to the presumption against short prison sentences; (b) its approach to consideration of the provision of secure care places for children; (c) to undertake a fact-finding visit to HMP Kilmarnock; and (d) to seek a further update on Brexit and the impact on policing, and to carry out a range of activities in the Autumn in relation to pre-budget scrutiny.

The meeting closed at 12.54 pm.

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