



OFFICIAL REPORT
AITHISG OIFIGEIL

Justice Committee

Tuesday 3 March 2020

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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JUSTICE COMMITTEE

9th Meeting 2020, Session 5

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Rona Mackay (Strathkelvin and Bearsden) (SNP)

COMMITTEE MEMBERS

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

John Finnie (Highlands and Islands) (Green)

*James Kelly (Glasgow) (Lab)

*Liam Kerr (North East Scotland) (Con)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Liam McArthur (Orkney Islands) (LD)

*Shona Robison (Dundee City East) (SNP)

*attended

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament Justice Committee

Tuesday 3 March 2020

[The Convener opened the meeting at 10:00]

Interests

The Convener (Margaret Mitchell): Good morning and welcome to the Justice Committee's ninth meeting in 2020. We have received apologies from John Finnie.

Under item 1, I welcome our new member, Dr Alasdair Allan. I invite him to declare any interests that are relevant to the work of the committee.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): Thank you, convener. I can think of none that is particularly relevant, but I invite members to look at my entry in the register of interests.

Decision on Taking Business in Private

10:00

The Convener: Item 2 is a decision on whether to take item 8, on our work programme, in private. Are members agreed to take item 8 in private?

Members indicated agreement.

Sentencing (Pre-Consolidation Amendments) Bill

10:00

The Convener: Item 3 is consideration of a legislative consent memorandum on a United Kingdom Government bill. I refer members to paper 1, which is a note by the clerk. The matter seems straightforward.

If members have no comments, are we agreed that the Scottish Parliament should give its consent to the relevant provisions in the Sentencing (Pre-Consolidation Amendments) Bill?

Members indicated agreement.

The Convener: Are members also content to delegate to me publication of a short factual report setting out our views on the legislative consent memorandum?

Members indicated agreement.

Brexit (Preparations)

10:01

The Convener: Item 4 is consideration of correspondence that has been received from Police Scotland and the Crown Office and Procurator Fiscal Service, on preparations for Brexit. I refer members to paper 2, which is a note by the clerk. Do members have any comments on the correspondence?

Liam McArthur (Orkney Islands) (LD): I want to make a point about the correspondence, which serves as a stark reminder of the likely impact of Brexit on such areas.

I notice that Police Scotland's note suggests that, under the European arrest warrant, only Germany has exempted itself from extraditing its own nationals, whereas the COPFS note appears to suggest that it is not only Germany that has exempted itself, but Austria and Slovenia too. I do not know whether there was a time lag in the preparation of the notes, which might explain that.

The Convener: I think that Police Scotland also thought that Poland might do the same.

Liam McArthur: Poland is the other country that Police Scotland refers to, but it is not mentioned in the COPFS note. I suspect that the situation is probably fluid. However, it would be helpful to have an indication of the member states that are giving active consideration to that approach as opposed to ruling it out.

The Convener: The clerk says that we are happy to keep members up to date with anything new that comes in. However, it is a bit of a moveable feast until we actually make some progress. In the meantime, are members happy to note the correspondence?

Members indicated agreement.

Justice Sub-Committee on Policing (Membership)

10:03

The Convener: Item 4 is the proposed appointment of a new member of the Justice Sub-Committee on Policing. I refer members to paper 3, which is a note from the clerk that explains the procedure. In essence, it is for the Justice Committee to make a recommendation to the Parliamentary Bureau, and for the Parliament to agree to that recommendation.

I understand that the Scottish National Party has proposed that Shona Robison replace Jenny Gilruth on the sub-committee. Do members agree that I should write to the Parliamentary Bureau to propose that Shona Robison becomes a member of the Justice Sub-Committee on Policing?

Members indicated agreement.

The Convener: Bad luck, Shona. I am joking; it is a very interesting committee.

That concludes the public part of today's meeting. Our next meeting will be on Tuesday 10 March, when we will consider a number of Scottish statutory instruments, a legislative consent memorandum and petition PE1458, which seeks to establish a register of judicial interests.

10:04

Meeting continued in private until 11:50.

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