



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

MINUTES

11th Meeting, 2020 (Session 5)

Tuesday 17 March 2020

Present:

Dr Alasdair Allan

James Kelly

Bill Kidd (Committee Substitute)

Margaret Mitchell (Convener)

John Finnie

Liam Kerr

Fulton MacGregor

Shona Robison

Apologies were received from Rona Mackay (Deputy Convener), Liam McArthur.

The meeting opened at 10.00 am.

1. **Decision on taking business in private:** The Committee agreed to take item 8 in private.
2. **Subordinate legislation:** The Committee took evidence on the Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018 (Success Fee Agreements) Regulations 2020 [draft] from—

Ash Denham, Minister for Community Safety, and Hamish Goodall, Civil Law and Legal System Division, Scottish Government.

Liam Kerr indicated that he is a solicitor with a current practising certificate in England, Wales and Scotland and an employment law specialist representing in employment tribunals.

3. **Subordinate legislation:** Ash Denham (Minister for Community Safety) moved—

S5M-21029 That the Justice Committee recommends that the Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018 (Success Fee Agreements) Regulations 2020 [draft] be approved.

After debate, the motion was agreed to (by division: For 6, Against 2, Abstentions 0).

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

Police Pensions (Amendment) (Scotland) Regulations 2020 (SSI 2020/33)

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

5. **Justice Sub-Committee on Policing:** The Committee noted a report back from the Sub-Committee meeting held on 12 March 2020.

6. **Defamation and Malicious Publication (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

Jill Clark, Head of Private Law Unit, and Jo-Anne Tinto, Solicitor, Scottish Government Legal Directorate, Scottish Government.

7. **Defamation and Malicious Publications (Scotland) Bill (in private):** The Committee reviewed the evidence heard earlier in the meeting.

8. **Elder abuse (in private):** The Committee considered a recent briefing from Dr Hannah Bows on the issue of elder abuse. The Committee noted Dr Bows research for the Scottish Parliament Information Centre (SPICe) on this use of elder abuse will be published shortly. The Committee agreed to consider this as part of its approach to Stage 1 scrutiny of the Hate Crimes (Scotland) Bill.

The meeting closed at 11.47 am.

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